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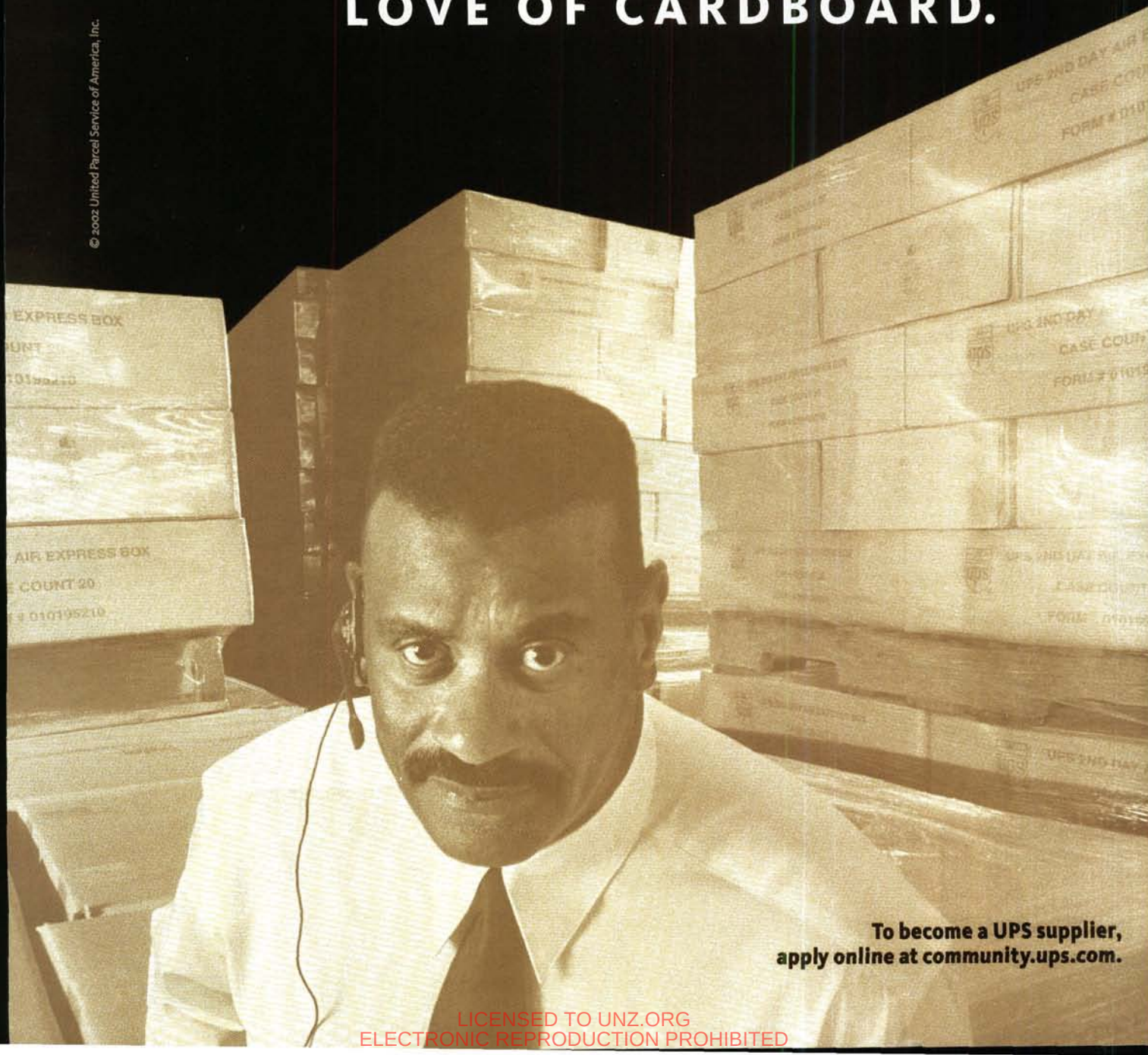

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Ethnic profiling

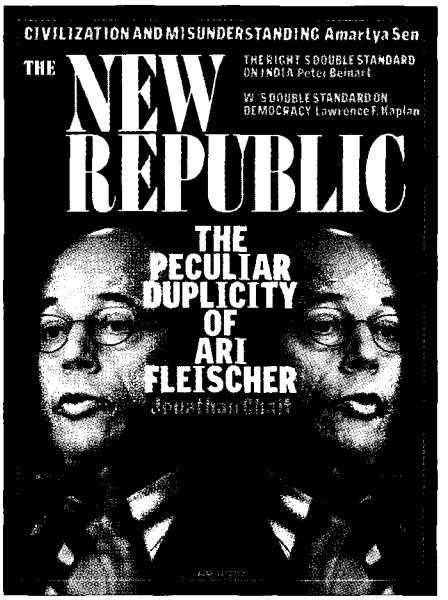
TO THE EDITORS:
I write concerning an item in the Notebook section of the June 10 issue of TNR titled "THEY HAVE HISPANICS, TOO" (translated from *Der Spiegel*, May 19), in which you quote yet another gaffe from President George W. Bush—this time in a conversation with the Brazilian president and scholar Fernando Henrique Cardoso. It seems Bush was unaware there are blacks in Brazil. And yet in the title of your caption, intended to be witty in stating the obvious, you have shown an ignorance barely less egregious than W.'s. Although it must be conceded that Brazil is a part of Latin America, as a Brazilian I must let you in on a secret: In my country we don't speak Spanish, and we don't consider ourselves "Hispanic"—a rather misleading misnomer—but simply "Brazilian." Indeed, "They have Brazilians, too."

ELIDE VALARINI OLIVER
Assistant Professor
Department of Spanish and Portuguese
University of Minnesota
Minneapolis, Minnesota

TO THE EDITORS:
I am disappointed at your inclusion in the Notebook section of a quote from *Der Spiegel*, which you attribute to President Bush. *The Washington Post* and various Internet sites have addressed the veracity of the comment you attribute to Bush, its suspicious origins, and the lack of any corroboration for it. Considerably more disconcerting is the possibility that you ran the quote knowing it was unsubstantiated and most likely untrue. Incidentally, the *Post* had two reporters look into this story; they were unable to substantiate it and wrote it up in a short and dismissive piece on June 5. They also had the decency to at least repeat the fact that a White House spokesperson took the unusual step of referring to the story as "total crap."

BRANDON MICHAEL BROD
Santa Barbara, California

THE EDITORS REPLY:
While it is true that in the past few weeks a number of publications have called into question the now infamous interaction between Presidents Bush and Cardoso, at the time the June 5 issue of TNR went to press, the incident had been reported as truthful in *Der Spiegel* and had been repeated by such reputable sources as National Public Radio, CNN, and *National Journal*'s daily *Hotline* without comment from the White House. A White House representative only later asserted that the original report was "total crap." When called by TNR, the official said this assessment was based on her review of a transcript of a conversation between the two presidents, but she refused to make the transcript available. Should she change her mind, and should the assertion about the president's words indeed turn out to be "total crap," we will certainly correct the record.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THE PECULIAR DUPLICITY OF ARI FLEISCHER
Jonathan Chait

Democratic inaction

TO THE EDITORS:
While I agree substantially with Lawrence F. Kaplan's analysis of the Bush administration's failure to promote democracy in the Middle East, I also think that he revises history in his analysis of the Ronald Reagan administration's motives in foreign policy ("Return Address," June 10). The Reagan administration "further[ed] democracy" in El Salvador? Not unless you define furthering democracy as coddling fascists like Robert d'Aubuisson's Arena party, which had murdered Archbishop Romero, or training and arming a military that had just raped and murdered U.S. missionaries—who represent only the tiniest fraction of the campesinos who lost their lives needlessly in Reagan's, and Elliot Abrams's, peculiar way of furthering democracy by torturing that small nation. That Abrams is today "senior director for democracy, human rights, and international operations" at the National Security Council is blasphemous.

DAVID PHILIPPART
Chicago, Illinois

Press release

TO THE EDITORS:
Thank you for Jonathan Chait's insightful, if grim, dissection of Ari Fleischer's stratagems vis-à-vis the White House press corps ("Defense Secretary," June 10). I confess I have been nonplussed by the current president's informational wall of stone. With former administrations, the White House press secretary willingly stayed out of the loop on subjects that might reflect badly on the boss or require him to lie. This administration, on the contrary, gives the impression of actually keeping Fleischer well informed so that he might more effectively obfuscate what the Bush White House wants to keep hidden. The tactics elaborated by Chait are clearly of a piece with some of Bush's other actions, such as blocking the release of twelve-year-old White House documents or claiming a privileged status for meetings with energy lobbyists. The Bush administration has evolved an "us versus them" stance against the press that makes the Richard Nixon administration look positively media-friendly by comparison. May every reporter who daily confronts Fleischer read and memorize Chait's article!

WILLIAM SHRIVER
Seattle, Washington

TO THE EDITORS:
Chait's article is the most ridiculous I've ever read. It says more about the whiny D.C. press corps than it does about Fleischer. There's a good reason there's so much sensational misinformation proliferated throughout this world: Too many people actually *do* answer press questions based on reporters' assumptions, hypotheticals, incomplete details, and other misinformation. Horrors! A press secretary is now challenging the media? What? A reporter has to actually back up the validity of his background information? And it's not even so much the answers Fleischer gives; it's that the answers are not what the press expects or wants to hear. There's probably not one thing on which I agree with Fleischer politically; but in an information-age free-for-all, it's actually refreshing to see someone beat the press at its own game.

ANDREW HUDSON
Press Secretary
Mayor Wellington E. Webb
Denver, Colorado

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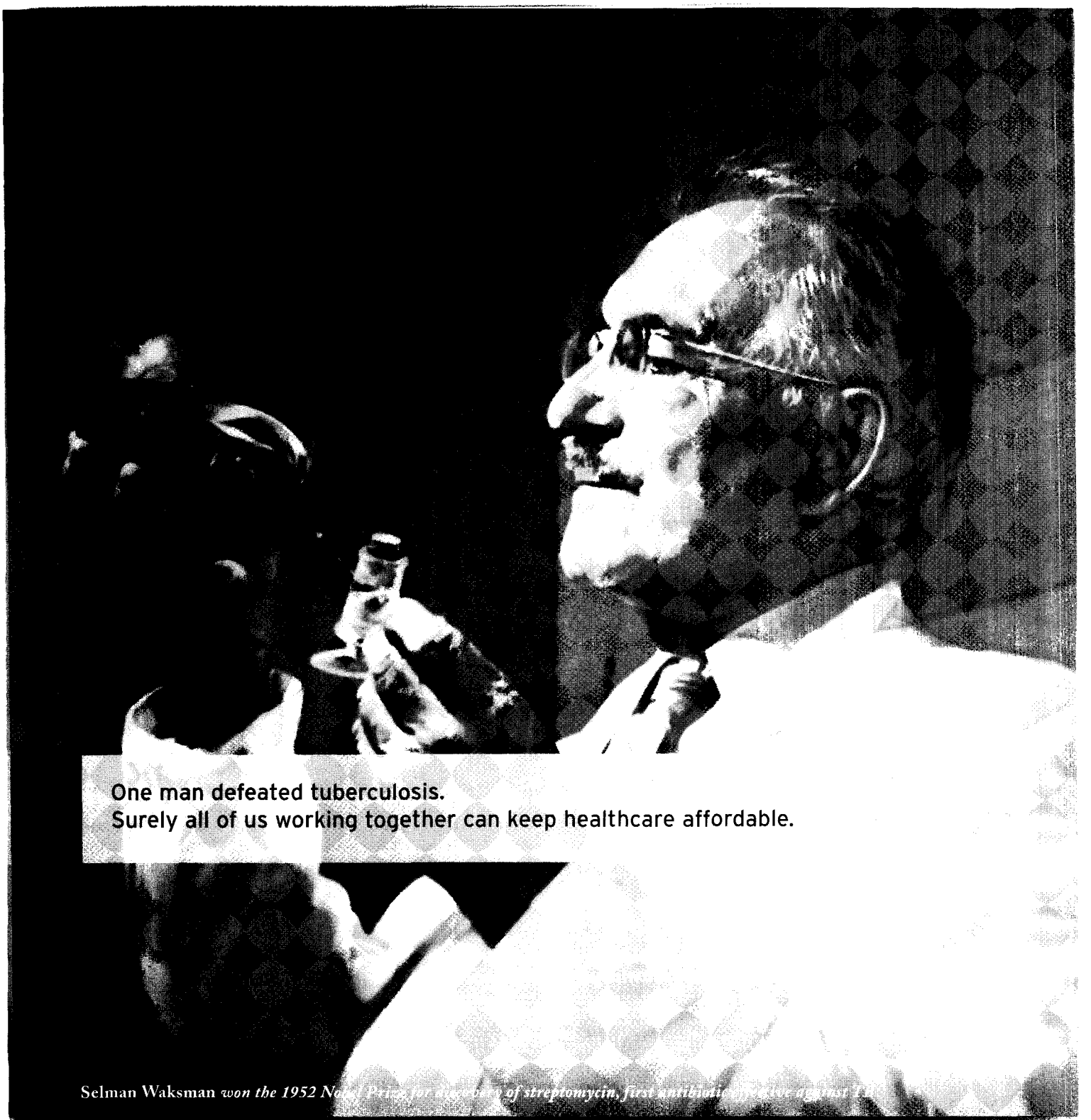
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TRB

FROM WASHINGTON

Backward

LOTS OF ARGUMENTS are wrong; fewer are absurdly wrong. But the absurd ones are sometimes the most revealing. By stretching facts and logic past the breaking point, they lay bare the ideological assumptions that more plausible assertions often disguise.

So it is with the right's suggestion that Bill Clinton is to blame for today's corporate scandals. "If you're looking for someone who set the moral tone for the decade of the '90s, I don't think you have to look any further than the former president's behavior," explained House Ways and Means Chairman Bill Thomas on CNN late last month. "It's impossible to understand Enron," editorialized *The Wall Street Journal*, "outside the moral climate in which it flourished ... the Clinton years, when we learned that 'everybody does it.'" Or, as Steve Forbes put it recently, "If you want to look at the tone of the '90s, it started right at the top, at the White House, where the attitude was anything goes."

Yes, that's right: Respected conservatives are actually suggesting that Enron and WorldCom cooked their books because Bill Clinton lied about a blow job. It's not an argument that takes a lot of deep thinking to rebut. First of all, corporate fraud wasn't invented on Clinton's watch. When Ivan Boesky was arrested for insider trading, Michael Milken was busted for market manipulation, Charles Keating was running a fraudulent savings and loan, and Gordon Gekko was declaring that "greed ... is good," Bill Clinton was an obscure Southern governor, and the man setting the moral tone "at the top" was Ronald Reagan. Maybe Boesky and Milken lost their moral bearings because the Gipper was a divorcé who neglected his children.

Second, Republican-leaning CEOs aren't exactly the demographic group most likely to take their moral guidance from Bill Clinton. And among those constituencies that did see Clinton as a role model—for instance, the African American poor—the '90s were a period of remarkable moral advance. From 1991 to 2000, while our "first black president" inhabited the Oval Office, teen pregnancy dropped 22 percent. Between 1993 and 1999, the crime rate dropped by roughly the same amount, and the welfare rolls declined 49 percent. Divorce, teen drinking, teen suicide, and abortion also grew more rare. As the magazine of the conservative American Enterprise Institute put it in 1999, "The alarm bells rung by cultural conservatives seem to have been heeded by many Americans, and a new pattern of recovery and even reversal has emerged." Does *The Wall Street Journal* hold Bill Clinton responsible for that as well?

The right's urge to blame Clinton stems partly from its refusal to acknowledge the basic tension within conservative ideology between cultural traditionalism and economic libertarianism. Whether it's Hollywood or Wall Street, conservatives hate to admit that it is the cultural amorality of the profit motive itself that sometimes produces moral rot. So when movie moguls or corporate chieftains choose the bottom line over basic decency, conservatives are reduced to suggesting that the scoundrels lost their family values at Woodstock (or by watching Clinton) rather than admit that they are simply following the structural incentives of an inadequately regulated free market.

Indeed, when it comes to big business, conservatives frequently deny that structural incentives matter at all. Even if they can't show that the corporate malefactors were corrupted by Clinton, they insist that what matters is that they were personally corrupt—bad people who did bad things because, well, that's what bad people do. As George W. Bush said in his corporate-responsibility speech this week, "[U]ltimately, the ethics of American business depends on the conscience of America's business leaders." Or, as the *Journal* put it, "Capitalists being human—some will lose their moral bearings."

This is willful naïveté. When bureaucrats perform inefficiently or welfare mothers live on the dole, conservatives don't call them bad apples who lack the moral instinct for hard work. They blame the legal structures that govern their behavior—the fact that bureaucracies are insulated from market competition or that welfare mothers (formerly) received checks whether they worked or not.

And it is the legal structure governing corporate America that has produced the bad behavior we are learning about today. During the '90s accounting firms realized they could boost profits by consulting for the companies they audited. And because the government never stepped in to prevent this mounting conflict of interest, accounting firms like Arthur Andersen developed a strong incentive to overlook fraudulent bookkeeping. Was every auditor equally willing to turn a blind eye? Of course not—just as not every welfare mother was equally willing to receive a check for sitting at home. But the overall structure created a corrupting pressure. And so it is not surprising that in the late '90s, as the accounting industry was publishing a handbook titled *Make Audits Pay: Leveraging the Audit Into Consulting Services*, the number of audited companies subsequently forced to restate their earnings was rising year after year.

Similarly, the penalties for corporate fraud were diminishing. In 1995 Newt Gingrich and the newly elected Republican Congress—having vowed to restrict lawsuits in the Contract with America—pushed through a bill making it much harder to sue companies for misleading their investors. And that same year the House and Senate froze the budget of the Securities and Exchange Commission (SEC), even though the agency (as the General Accounting Office would later find) already lacked the staff to adequately monitor corporate balance sheets. As David Ruder, a former Republican head of the SEC, told *The New York Times* in 1995, "The Republican Congress is dealing with the SEC as though it is the enemy, instead of the policeman on the beat." And, as conservatives often remind liberals, when you undermine the policeman on the beat, crime goes up.

Which brings us back to Bill Clinton. If conservatives are serious about blaming him for Enron and WorldCom, they should focus not on Monica Lewinsky but on the decline in white-collar law enforcement that occurred on his watch. But, if they do, they'll notice that Clinton *vetoed* the 1995 bill that shielded corporate executives from shareholder lawsuits, and his SEC chief, Arthur Levitt, proposed barring accounting firms from consulting for firms they were simultaneously auditing. Unfortunately, Clinton's veto was overridden—a slight majority of Democrats voted to uphold it, but virtually every congressional Republican voted to override. Levitt's proposal was torpedoed as well. By my count, 33 of the 37 members of Congress who signed public letters protesting his reform were Republicans. And the lobbyist who spearheaded the accounting industry's campaign against the Levitt proposal was none other than Harvey Pitt, President Bush's pick to head the SEC. In other words, the '90s moral tone that made Enron and WorldCom possible wasn't Clintonism; it was Gingrichism. And that's one moral tone George W. Bush hasn't changed at all.

PETER BEINART

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Speech Code

THE CENTRAL PARADOX of George W. Bush's presidency is that he is a conservative Republican who holds office at a time when the public has regained its appetite for activist government. As a result, his habitual tack on domestic matters has been to rhetorically align himself with popular reforms but substantively align himself with his ideological and financial base in the business lobby. He has followed this pattern on social spending, campaign finance reform, prescription drugs, patients' rights, airport security, and other issues. And now he has done it again on corporate reform.

Bush's message this week was that he is truly and deeply outraged by corporate malfeasance. The administration leaked to the press a conversation between Treasury Secretary Paul O'Neill and Bush, wherein the former bemoaned the fact that kids with marijuana get more jail time than do corporate crooks, which prompted the president to reply, "You're absolutely right," and shake his head. In his speech on corporate responsibility on Tuesday, Bush railed against "business executives breaching the trust and abusing power," and called for "a new era of integrity in corporate America." To accompany his tough rhetoric, Bush presented a seemingly thorough proposal, filled with nice, round numbers: A ten-point Accountability Plan; a doubling of prison sentences for financial fraud; a $100 million funding increase; and 100 new staffers for the Securities and Exchange Commission (SEC). The purpose of all this was to create the appearance of reform while doing as little as possible. Eighteen months into his presidency, Bush has the routine down to a science.

Begin with Bush's threats of lengthy prison sentences, one of the highlights of his speech. It might seem obvious that the threat of jail time would deter white-collar crime. The problem, alas, is that criminalizing financial fraud rarely works. Consider—to take one company at random—Harken Energy, which employed Bush as a consultant and audit committee member. Harken inflated its stock by putting together a group of insiders to purchase a subsidiary at an inflated price. "This was an honest disagreement about accounting procedures," Bush told reporters the day before his speech. "And the SEC ... asked Harken to restate earnings, which it did. I mean, that's the way the SEC works." Bush is wrong to use the system as a moral defense of Harken's obviously unethical accounting. But as a legal matter he's right. Financial fraud usually involves lots of people delving into legally murky terrain. Pinning the responsibility on a single individual, and proving criminal intent, is usually impossible. Increasing jail terms, as a former SEC official puts it, is "more symbolic than something that's likely to have an important effect."

The good news is that there are plenty of other ways to rein in corporate malfeasance. The bad news is that, his rhetoric notwithstanding, Bush opposes almost all of them. His ten-point plan is an empty shell, filled with measures the SEC or stock exchange already planned to adopt or with measures that are actually *weaker* than the ones they have proposed. Right now, for instance, the SEC can't bar executives from serving on boards unless it can prove their "substantial unfitness." The SEC wants to lower the standard to merely "unfit," making it easier to bar crooked executives. Bush's speech included a ringing call to bar "corporate leaders who are convicted of abusing their powers." This new standard—actual criminal conviction—would set the bar for executives even lower than it is right now.

Or take SEC funding. Even Republicans say SEC enforcement has languished due to years of underfunding. Its lawyers not only earn vastly less than the private sector they match wits against; they earn considerably less than lawyers in other federal agencies. Bush promises a $100 million boost, which sounds generous—until you realize that even House Republicans have pledged an increase three times greater.

Indeed, the thrust of Bush's effort in Congress is to back the weakest possible reform. He has criticized the tougher Senate legislation and praised the toothless, industry-backed version in the House. The House bill would establish an oversight board dominated by the accountants themselves. And by failing to require auditor rotation or prohibit revolving-door arrangements between auditors and their clients, it does little to curtail the conflicts of interest that lead accountants to bless shady practices. If some meaningful measure does make it through Congress, it will be despite Bush's best efforts, not because of them.

The president's calculation seems to be that as long as he has a plan, any plan, the public won't be able to tell the difference between real reform and sham reform. After all, it's worked for him before. ■

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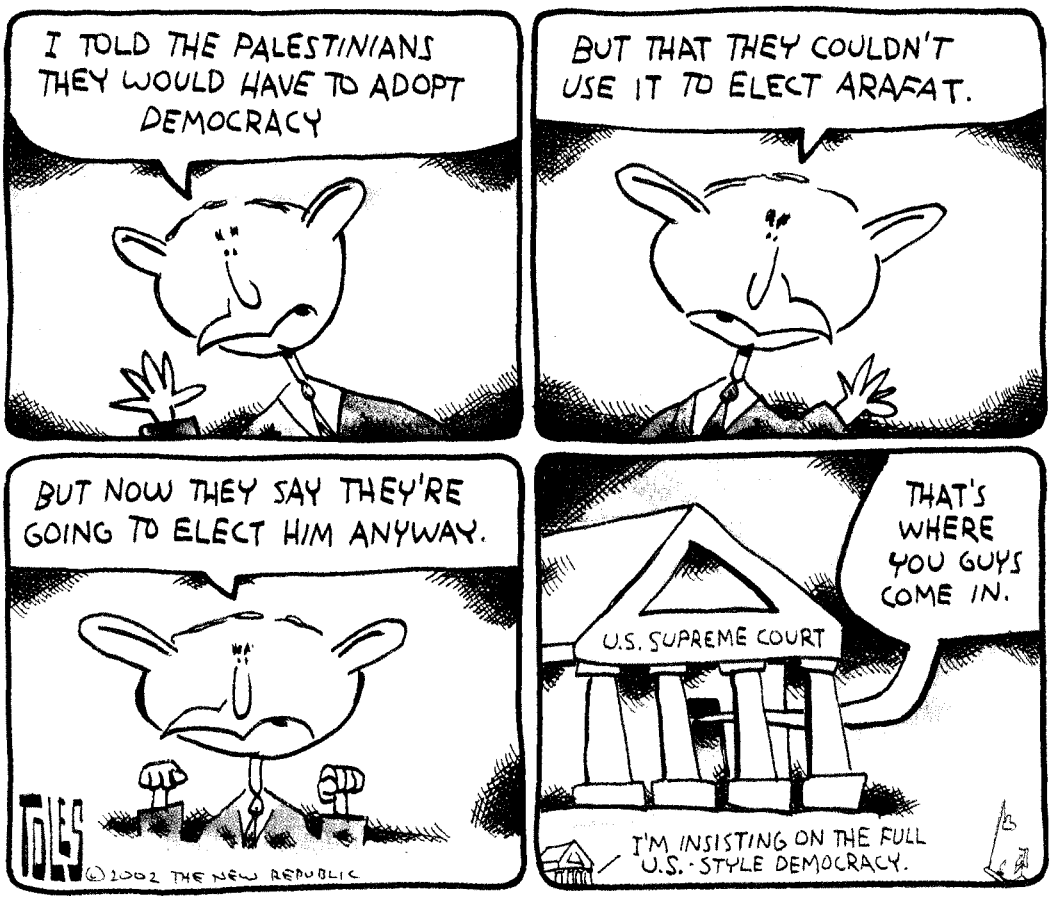
NOTEBOOK

CORPORATE FRAUD HYPOCRISY WATCH: Since CNN, FOX, and MSNBC all run bottom-of-the-screen "crawls" that alert you to various facts as the talking heads above mouth off on the issues of the day, perhaps they can develop a special one for many of the members of Congress discoursing on today's corporate scandals. It would read: "THE POLITICIAN ABOVE IS A HYPOCRITE." That's because, in a dispiriting irony, many of those members now at the center of the congressional rush to reregulate the financial and accounting industries are the same people who—by virtue of their committee assignments—led the industry-sponsored rush to deregulate a mere few years ago. Take, for example, Democrats Chris Dodd and Chuck Schumer of the Senate Banking Committee, who claim to be leading the charge on corporate reform. "Sadly, the WorldCom fiasco is only the latest in a long line of examples of corporate deeds gone amok," lamented Dodd recently, "and the negative impact is being felt in our financial markets." Schumer struck an even more strident note the night before the president's speech: "If a CEO or CFO knowingly signs off on the statement lying about the bottom line, they belong in jail," he declared. "It's just that simple." They should talk. In 1995 Dodd sponsored a bill that made it more difficult for investors to sue businesses and accounting firms for securities fraud. When Bill Clinton vetoed the bill, the Connecticut Democrat organized the override. In 2000 Dodd and Schumer were back at it. After Schumer and twelve other senators vigorously protested Securities and Exchange Commission (SEC) Chairman Arthur Levitt's plan to bar accounting firms from consulting work, Dodd used his clout to persuade the SEC to drop the rule. Levitt's rule would have greatly reduced incentives for exactly the kind of corrupt accounting Dodd and Schumer are so outraged about. And perhaps not coincidentally, Dodd and Schumer were the number-one and number-two recipients, respectively, of contributions from the Big Five accounting firms between 1989 to 2001. In the House, meanwhile, the newfound champions of financial probity include Republicans W. J. "Billy" Tauzin, chairman of the Commerce Committee, and Michael G. Oxley, chairman of the Financial Services Committee. "Some of these corporate criminals need to go to jail," thundered Tauzin on NBC's "Meet the Press" this week. "I hope the president comes down extremely strong against these corporate criminals." And on "Fox News Sunday," Oxley noted: "I think it's clear that particularly in the telecommunications sector ... it appears that some of these cost-cutting efforts and their cooking the books occurred to basically hide what was a failing business practice." Turns out Oxley and Tauzin also fought mightily against Levitt's reform proposal—Tauzin sent the SEC chairman three letters of protest; Oxley sent two. This year Oxley, with the industry's blessing, introduced the weak reform package (favored by President George W. Bush) that the House passed in April. Dubbed the "Ken Lay Protection Act" by the Consumers Union, it would establish a new five-member regulatory board for the accounting industry, four members of which would be drawn from—you guessed it—the accounting industry. Later this month Tauzin, the largest House recipient of accounting-industry money between 1989 and 2001, plans to begin work on a corporate-reform measure of his own. America's CEOs must be quaking in their boots.

IDIOCY WATCH: "On the eve of our great national birthday party and in the aftermath of Sept. 11, when millions of us turned to God and prayed for forgiveness of individual and corporate sins and asked for His protection against future


I TOLD THE PALESTINIANS THEY WOULD HAVE TO ADOPT DEMOCRACY
BUT THAT THEY COULDN'T USE IT TO ELECT ARAFAT.
BUT NOW THEY SAY THEY'RE GOING TO ELECT HIM ANYWAY.
THAT'S WHERE YOU GUYS COME IN.
U.S. SUPREME COURT
I'M INSISTING ON THE FULL U.S.-STYLE DEMOCRACY.
TOLES
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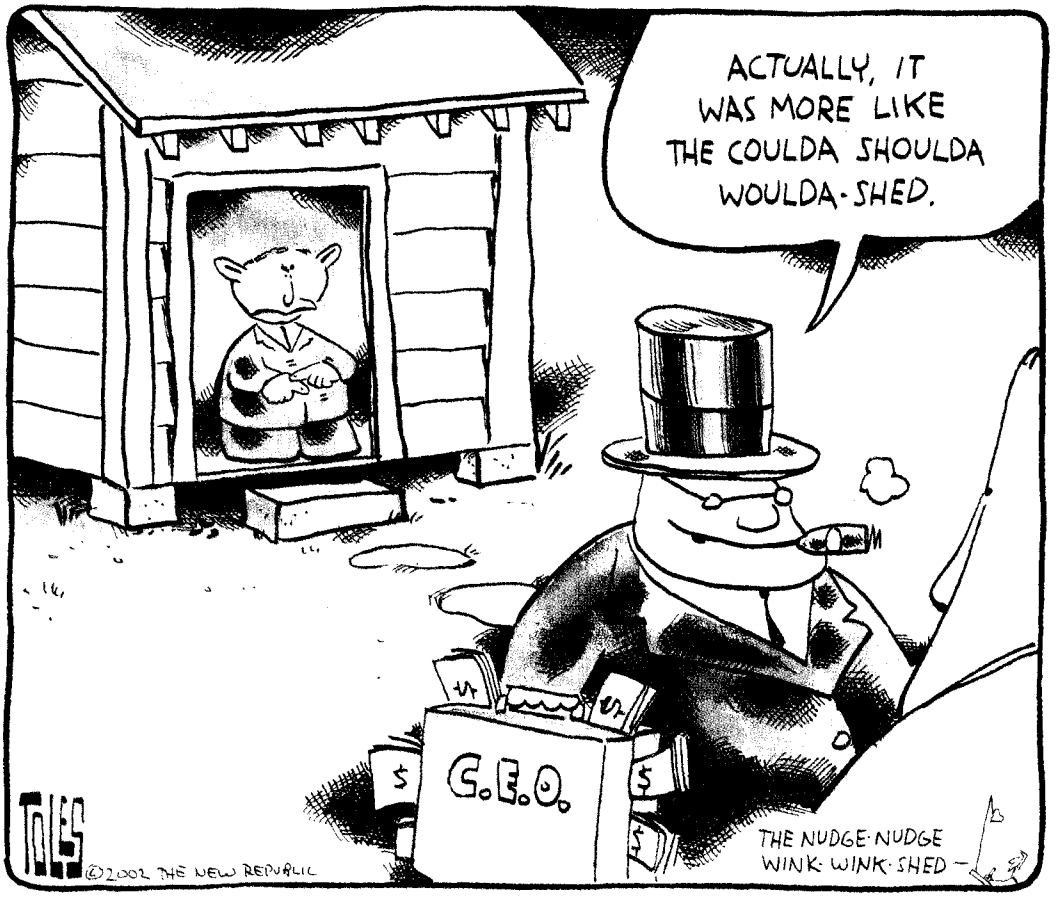
attacks, the 9th Circuit Court of Appeals in San Francisco has inflicted on this nation what many will conclude is a greater injury than that caused by the terrorists."—columnist Cal Thomas, responding to the court's ruling on the Pledge of Allegiance, June 28

FIRST TIME FARCE: When Al Sharpton took to the streets of Manhattan this past weekend to protest the recording industry's exploitation of black musicians, it surprised no one. After all, Sharpton has by now conclusively established himself as America's foremost champion of the invented racial grievance. But Sharpton's partner in protest *was* a bit surprising: Michael Jackson, who, in a remarkable rebranding effort, now apparently wants to be known as a race man. Even more surprising, the Gloved One actually put the Rotund One to shame in the demagoguery department. While Sharpton kept his criticism of record executives vague and relatively gentle—"The record industry at the top needs to become more inclusive," he said—Jackson was specific and vicious. Jackson singled out Tommy Mottola, who runs Sony Music (Jackson's record company), for attack. Mottola, Jackson said, is "mean, he's a racist, and he's very, very, very devilish." Just in case people didn't get the point, Jackson held up a poster of Mottola sporting horns and a pitchfork. Of course, Jackson's anger at Mottola probably has less to do with race—even Sharpton later conceded that Mottola has "always been supportive of the black music industry"—and more to do with the fact that Sony, having spent $50 million to make and market Jackson's dud album *Invincible*, now refuses to spend more. But Jackson, perhaps taking a clue from Sharpton, is happy to blame all his problems—and not just his slumping record sales—on racism. "I broke Elvis Presley's record, I broke The Beatles' record—once I started doing that, overnight, they called me a freak, a homosexual, a child molester," Jackson complained. "They did everything they could to turn the public against me. It's a conspiracy." Looks like they've had more than a little help.

SECOND TIME TRAGEDY: Not to be outdone in the noxious-bedfellows department, Louis Farrakhan this weekend traveled to Iraq to voice his support for Saddam Hussein. Meeting with Iraq's Islamic Affairs Minister, Abdul Munem Saleh, Farrakhan, according to the official Iraqi News Agency, declared, "[T]he Muslim American people are praying to the almighty God to grant victory to Iraq." Before going to Iraq, Farrakhan visited Lebanon, where he met with president Emile Lahoud. According to Lahoud's office, Farrakhan told the president that he intended to "create a political group, gathering Christians and Muslims from different denominations and ethnic groups, to ... influence the U.S. administration on the problems posed, notably in the Middle East and Muslim countries, by the Zionist lobby." Farrakhan did not say whether the Zionist lobby was part of the conspiracy against Michael Jackson.



WHAT A DIFFERENCE A DAY MAKES: "[A]ll I can tell you is, is that in the corporate world, sometimes things aren't exactly black and white when it comes to accounting procedures.... [S]ometimes there's difference—an ability to interpret one way or the other."—George W. Bush, defending accounting gimmicks used by Harken Energy while he served on the company's audit committee, July 8

"Our schools of business must be principled teachers of right and wrong and not surrender to moral confusion and relativism. Our leaders of business must set high and clear expectations of conduct, demonstrated by their own conduct."—Bush, unveiling his corporate-reform proposals, July 9 ■

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Newark Dispatch

Truck Stop

By David Grann

One recent summer morning Donald Murphy, a driver for the Pure Fuel Company, was hauling 5,000 gallons of explosive diesel through downtown Newark, New Jersey, when he noticed a car following him. The company had warned him to be extra careful: The fuel, mixed with ammonium nitrate, could create a crude bomb capable of taking out an entire city block. After September 11 the Department of Transportation had sent the company a letter saying that such hazardous materials "in the wrong hands may be used as a weapon against the American public." Drivers were handed a pamphlet with "security measures," which Murphy kept in the truck. It included several bulleted tips:

- Vary your route when possible.
- Do not stop on dark roadways or in deserted areas.
- Stay alert! Remember what you see and hear can be extremely helpful to National Security.

But it was another warning, buried in the middle of the list, that now stood out: "*Be aware of vehicles that are following your truck.*" Murphy turned the long rig onto one street, then another, peering through his rearview mirror—the car was still there. He slowed down; so did the vehicle. He sped up; the vehicle did as well. "Leave yourself with options," the pamphlet said.

At his first scheduled stop—at a junkyard on Frelinghuysen Avenue—Murphy says he hopped out and told his clients, "I think I'm being followed."

He pointed to the car, an old Chevy Cavalier. It had pulled to the side of the road, and Murphy and the others quickly approached the driver. "He was thin, maybe six feet tall," Murphy recalls. "Short, curly hair; about twenty-five years old. I couldn't say for sure, but I think he was Middle Eastern."

When they asked why he was following the truck, Murphy remembers him saying, "I'm a student at Rutgers. I'm doing a survey for school on procedures for making fuel deliveries." Then, before they could ask anything else, he sped away.

Murphy, a stout African American in his mid-sixties with a stentorian voice, had been transporting fuel for more than four decades and knew, as he put it, "something wasn't right. Who tails a damn fuel truck?" Rather than continue his route, Murphy hurried back to headquarters.

The company was located in a stretch of warehouses not far from Newark International Airport. When Murphy pulled in, he noticed something moving down the block. It was the Cavalier.

Murphy rushed inside and told the dispatcher, who, upon seeing the car still lurking at the end of the street, ran and found the president, Mark Monto, a 36-year-old with graying hair who had built Pure Fuel into a multimillion-dollar corporation. Monto and the dispatcher ("I wanted more than one person," Monto says) jumped into his SUV. "The second he saw us he took off," Monto says. "There was traffic in front of him and I got right up behind him. I could see him. He started to race the engine. I told the dispatcher, 'Get his plate.' While the dispatcher wrote the number down, the guy burned through one red light and another and vanished."

Monto immediately called the police. But, as he recalls, the officer, insisting there was no actual crime, said there was nothing he could do. Monto then phoned the FBI, who took down the information. Just to be safe, he also called the Department of Transportation, which had handed out the security pamphlet. Over the next several days, Monto says, he tried to follow up with the different agencies, but each time the person he contacted said the matter had been referred to someone else. "The whole thing seemed to disappear in the bureaucracy," he says. Finally, he says, about a week later, a woman from the New Jersey state police called and said she was part of a counterterrorism task force and was investigating the matter.

When Monto didn't hear anything after a few days, he called the state trooper back. By now workers at the company had begun to whisper about the incident—that the plant might be a target, that strangers might be following their trucks—and Monto wanted to make sure something was being done. But the investigator struck him as unconcerned. She said she had located the owner of the Chevy Cavalier, who claimed he was an Israeli national doing research at Union County College. Monto pointed out that the man told his driver he was studying at Rutgers. "I asked her if she was going to check with the college. She said, 'First I need to file a report and hear back from my superiors.'"

Unsatisfied, Monto began thinking of potential inconsistencies in the man's story. He noted, for instance, that the person, according to one of the authorities he spoke with, hoped to qualify for the Israeli army. But if he were truly an Israeli citizen, Monto wondered, wouldn't he *have* to join the army? "If the [authorities] are gonna just leave it like that," Monto said, "I don't feel very safe."

Then on June 22, almost a month after the incident, Monto opened the *New York Post* and saw a photo of a fuel tanker under the caption "Hell on wheels." He raced through the article, which stated that, based on information gleaned from Al Qaeda prisoners, fuel trucks might become the latest terrorist weapon—in particular against Jewish schools and synagogues. "I couldn't believe it," Monto says. "I called the state trooper again, but she didn't call me back."

When I called the state police in early July, they told me the matter had been fully investigated and resolved. "Basically, this is one of the many tips that came in that was assigned to various members of the joint task force...," said Stephen Jones from the public information office. "The student was ... found to be doing a business study on fuel dissemination.... It was determined he had a legitimate need to do it and went about it in a poor way. He was in fact enrolled. He was Israeli. They

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The Case for Not Invading Iraq

David R. Henderson is a research fellow with the Hoover Institution and an economics professor at the Naval Postgraduate School in Monterey, California.

"Saddam Hussein is a madman, with weapons of mass destruction, and therefore we need to get rid of him." We have heard this from many Americans who want war with Iraq. But **there is little evidence that Hussein is mad, and his rational response to the dangerous incentives President Bush has set up should make us afraid.**

Consider the incentive that Bush Sr. set for Saddam Hussein. In 1991, just before the gulf war, the elder Bush made it clear that, if Hussein used chemical weapons against the U.S.-led coalition, Bush would consider "the strongest possible response"(his euphemism for nuclear weapons). It worked: Hussein refrained from using chemical weapons in the gulf war.

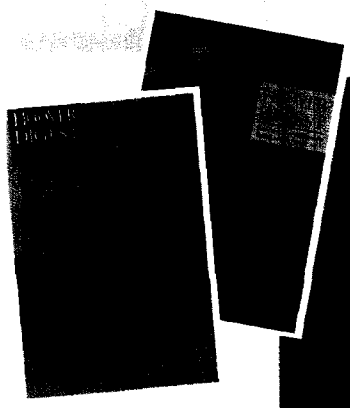
Consider the new incentives Hussein faces. Bush Jr. says he wants to get rid of Saddam Hussein. We're not talking about a move to Switzerland. Everyone understands that President Bush wants Saddam Hussein to die. One who understands that particularly well is Saddam Hussein. Hussein, therefore, also knows that Bush's staff is probably preparing, or will prepare, plans to kill him. What's Hussein's likely response? If he is as evil as George W. Bush thinks he is, then he wouldn't mind taking a million innocent Iraqis with him. In fact, he might actually prefer to die with a splash. Moreover, Hussein would probably prefer to take a few hundred thousand innocent Israelis or even Americans with him. If Hussein does have weapons of mass destruction, then he may be working to set up weapons around the world, possibly in American cities, to be detonated when he is near the end.

To avoid the deaths of many innocent Iraqis, and possibly of innocent Americans and Israelis, President Bush has two choices. The high-risk choice is to go after Saddam Hussein soon. Notice that I said "go after Saddam Hussein," not "go after Iraq." In a choice between being the only target and being one of a million Iraqi targets, Hussein would much prefer the latter. For one thing, it would help him go out with a big splash; for another, the U.S. killing of many innocent Iraqis would help him achieve a legacy—the unification of the Arab and Muslim worlds against the United States. There's a second choice. That would be for Bush to communicate, in a credible way, that he no longer wishes to replace Saddam Hussein. The first option is difficult because Hussein is well protected and might still have time to unleash his terror. The second option is also difficult because everyone knows Bush's true wishes for Hussein's future. One way to accomplish the second, however, is to actively push for ending the United Nation's sanctions on Iraq; this would communicate clearly that Hussein is no longer a target.

You might argue that Hussein is not a real threat. But if that's the case, then why all the serious discussion over invading Iraq? Either Hussein is a threat or he is not. Either way, invading Iraq is a bad idea.

— David R. Henderson

Paid for by the Hoover Institution, Stanford University.



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determined that he posed no threat whatsoever and was not connected to any terrorist organization."

Still, Murphy and Monto remained suspicious. A business study on "fuel dissemination"? It was possible, they supposed; but was that supposed to make them rest easier? The government's response felt like business as usual. Yet the government had told them to be extra vigilant; they had thought business as usual was no longer good enough.

Not long ago Murphy and Monto were standing in the lobby of their company, still discussing the incident. It was about to rain, and the sky was a pale gray. "I'm not saying the guy's a terrorist...," Monto said. "I just want to know for sure."

"Why did he run?" Murphy asked. "That's what I want to know." A year ago he probably wouldn't have given much thought to the whole thing; he probably wouldn't even have stopped his route.

They walked outside, where fuel trucks were moving in and out of the warehouse. "In Oklahoma City they made a bomb with only a few hundred gallons of diesel," Monto said. "These things carry five thousand gallons."

Murphy climbed in his rig and started the ignition. Then he headed back out on his route, peering through his rearview mirror. ■

Buchanan's surefire flop.

Home Bound

By FRANKLIN FOER

IT CAN'T BE a good omen for Pat Buchanan. The man who will now carry the pitchfork for his "America First" peasant populism is a European aristocrat. Taki Theodoracopulos (or Taki, as he signs his byline), scion to a Greek shipping fortune, will fund and contribute essays to Buchananism's new house organ, *The American Conservative* (*TAC*), a Washington-based biweekly set to launch this September. It is, to say the least, an odd match. While Buchanan venerates the working class, Taki is an unabashed yacht-owning, nightclub-going social snob with homes in the Swiss Alps, London, and Manhattan's Upper East Side. While Buchanan rails against the fraying of God-fearing, law-abiding, traditional American culture, Taki was convicted in 1984 for smuggling cocaine. His most penetrating meditation on American cultural decay was a 1982 essay in *The American Spectator* titled, "Why American Women are Lousy Lovers."

Still, this unlikely pair is bound by a common goal: to rescue American conservatism from the false gods of internationalism, immigration, free trade, and Zionism. And Buchanan's disastrous 2000 presidential run notwithstanding, as recently as one year ago there was reason to believe such a mission might elicit popular support. After all, in his quest to woo Hispanics, George W. Bush floated a blanket amnesty for Mexican immigrants—an idea that sparked a sharply negative reaction from the conservative grassroots. He called fast-track trade authority a top priority and declared himself "committed to pursuing open trade at every opportunity," despite evidence that the American right was souring on free trade. He reneged on campaign promises to pull U.S. troops from Bosnia and Kosovo. And against conservative orthodoxy, he embraced the spirit of multiculturalism, hardly lifting a finger to undo affirmative action and apparently practicing it himself, packing his Cabinet with minority appointments. In short, the most corporate president in recent history seemed the perfect foil for the anti-corporate conservatism Buchanan had been preaching for years.

And at first glance, September 11 seemed to add fuel to Buchanan's critique. What better evidence for Fortress America than the spectacle of visa-finagling foreigners blowing up lower Manhattan? Buchanan wrote a quickie book, *The Death of the West*, about the swarthy menace; and across Europe his brand of nativism began harvesting votes in record number. But over time it has become clear that on this side of the Atlantic, 9/11 hasn't boosted the isolationist right; it has extinguished it. Instead of America Firstism, September 11 has produced a war on terrorism that has virtually ended conservative qualms about expending blood and treasure abroad. And as a corollary, it has produced an unprecedented eruption of conservative and evangelical support for Israel. The conservative establishment has co-opted post-9/11 fears of Muslim immigration, and Bush has covered his protectionist flank on trade. In short, Buchanan and his rich friends couldn't have chosen a worse time to start a journal of the isolationist right.

TAC THINKS CONSERVATIVE support for the war on terrorism is hollow; indeed it plans to make the issue its raison d'être. According to Scott McConnell—a former editorial-page editor of the *New York Post*, an heir to the Avon cosmetics fortune, and *TAC*'s third proprietor—"Garden-variety conservatives pretend that the movement speaks with one voice on foreign policy. But foreign policy represents a significant fissure among conservatives. [*TAC*] will challenge the orthodoxy." It would be more accurate to say it *used to* represent a significant fissure among conservatives. In late-'90s debates over the Balkans, for instance, a growing number of congressional Republicans broke from the internationalism of GOP elders like Bob Dole and George H.W. Bush and echoed Buchanan's 1999 critique of America's "utopian crusades for global democracy." One year later Tom DeLay delivered a speech at a Washington think tank decrying Clintonite foreign policy as "social work." And Trent Lott took to CNN to accuse the president of neglecting diplomacy, urging him to "give peace a chance" in Kosovo. Even some normally hawkish neoconservatives like Charles Krauthammer condemned the Balkan interventions as "a colossal waste—and drain." A poll in late 1999 taken by Mark Penn showed that 57 percent of Republicans considered the United States "too engaged in the world's problems."

Buchanan has continued that line of argument. Then, he argued the United States had no right to interfere in Balkan tribal feuds. Now he writes, "Where does Bush get the right to

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International Education: The Best Defense Against Terrorism

Kurt M. Landgraf, President & CEO of Educational Testing Service

President George W. Bush recently outlined a new U.S. foreign policy in which America will be more assertive in combating terrorism by striking our enemies first. The commencement speech at West Point made headlines around the world, and commentators are still writing and talking about it, and understandably so.

Something else in the President's address received little notice, nor has it prompted much in the way of additional conversation. While not nearly as momentous as the "first strike" doctrine, it was an important passage nevertheless. In his speech President Bush said, *"In our development aid, in our diplomatic educational assistance, the United States will promote moderation and tolerance and human rights."*

ETS fully supports this renewed American commitment to international education. We provide assessments of all kinds in over 180 countries and our various tests are used by thousands of U.S. colleges and universities as they seek to enroll students from abroad.

Support for enlightened international engagement is echoed among American voters. Recently we asked Opinion Dynamics, a non-partisan public opinion research firm, to gauge public sentiment on this topic. The results were encouraging:

- 52% believe that President Bush's proposal for educational assistance to other countries is important in the fight against terrorism and to promote moderation, tolerance, and human rights.
- By nearly two to one, Americans oppose suggestions that we cut back on the number of foreign students allowed to study in the U.S.
- Nearly 9 in 10 agree that American students need to increase their awareness of world affairs, including foreign language, geography, culture, and politics.

"In our development aid, in our diplomatic educational assistance, the United States will promote moderation and tolerance and human rights."

— President George W. Bush

If America is to realize its dream of greater cooperation among nations, we must strengthen international education and exchange programs, and support U.S. diplomatic efforts, including more funds for overseas student advising centers. These centers are on the front line of the battle for mutual understanding.

We recently contributed $750,000 to the U.S. State Department to establish "ETS Advising for the Future" grants that will be distributed throughout their Educational and Cultural Affairs centers worldwide. The money will be used to help them meet the challenges they face daily as America's advocates for both U.S. education and international students. We urge other organizations and America's higher education community to provide similar support.

Americans of virtually all political persuasions support the war against terrorism. There is little prospect that our commitment to the fight will wane over time. It is equally true that Americans see that in the struggle against terror, we must also arm the people of the world with the knowledge and understanding that only comes through education.

ETS Educational Testing Service

We invite you to continue this dialog by contacting us via e-mail at: issues@ets.org

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identify and punish every [terrorist] aggressor? Who believes any president can lift the 'dark threat' of aggression and terror from all mankind?" But no one on the right is listening anymore. A "CBS News" poll from last month shows that 94 percent of Republicans approve of the president's handling of the war. If anything, the conservative critics of Bill Clinton's foreign policy—Krauthammer and DeLay among them—are demanding that Bush intervene more aggressively to root out global terrorism, starting with Yasir Arafat.

The Buchananite critique has fallen flat for three reasons. First, the Clinton administration justified its interventions as humanitarian necessities. In the war on terror, by contrast, Bush hasn't needed to appeal to altruism. He has employed the rhetoric of national interest—fulfilling the Buchananite criteria for intervention. And, in the process, he reestablished the connection between national security and the hawkish internationalism that defined conservatism during the cold war. Second, Bush has preempted charges of Wilsonian internationalism by obsessively guarding against encroachments on national sovereignty—yanking the United States out of the Kyoto agreement on global warming, raising objections to the International Criminal Court, and ditching the anti-ballistic missiles treaty. Thirdly, the Buchananites have shot themselves in the foot by blaming September 11 on America's "indiscriminate support for Israel" (McConnell's words in the *New York Press* last fall) and pining for the days "when America was loved by Arabs" (Taki's words, also in the *Press*). *TAC's* supporters have the misfortune to be espousing anti-Zionism at the very moment the conservative rank and file, driven by evangelicals, views Israel as America's kindred spirit in the battle against terrorism and radical Islam. According to the most recent batch of polling, 64 percent of Republicans say they actively sympathize with Israel—as opposed to 38 percent of Democrats. And 83 percent of Republicans applaud Bush's aggressively pro-Ariel Sharon policy on the Middle East.

THE REST OF the political landscape is equally inhospitable to Buchananism. Trade—an issue on which Beltway conservatives and grassroots conservatives genuinely were out of step—has lost much of its salience now that national security, not economics, dominates foreign policy debates. With Senate Democrats adding the Dayton-Craig labor protections to trade promotion authority, Bush has threatened to veto the legislation altogether, leaving the Buchananites nothing to shout about in the short term. And when the administration *has* tinkered with trade policy, it has done so in Buchananite ways—raising tariffs on domestic steel, supporting a farm bill loaded with subsidies for U.S. agriculture, and generally proving that Karl Rove is far too in touch with electoral reality to leave Bush vulnerable to protectionist attack.

Bush and the conservative mainstream have also masterfully preempted the anti-immigration backlash Buchanan would like to foment. Although Bush still talks about tolerance for Muslims and even tried to restore food-stamp benefits to legal aliens, he has endorsed a major overhaul of the border patrol, tougher enforcement of student visas, and a fingerprinting system that amounts to racial profiling. Similarly, pro-immigration magazines like *The Weekly Standard* and *National Review* have turned racial profiling and a tougher visa system into crusades, leaving Buchanan and his allies little room to accuse the conservative establishment of sacrificing American security for political correctness and cheap labor. When McConnell told me that the American right considers immigration a "verboten issue," he sounded as if he hadn't touched the stack of magazines by his bed for months.

The way the Buchananites see it, they're still battling the neocons—the largely Jewish group of former leftists who migrated right after the Vietnam War. But the neocons are no longer a wing of the conservative movement; they *are* the conservative movement. Supply-side economics, Israel, welfare reform, vouchers—all the old neocon pet causes have become enshrined in conservative conventional wisdom. As Norman Podhoretz triumphantly declared in *The New York Times* in 2000, "The time has come to drop the prefix and simply call ourselves conservatives." This presents a huge problem for the Buchananites: There's no constituency on the right—not evangelicals, not gun nuts, not libertarians—who wants to send the neocons back to City College or who even remembers they came from there. It's a fact McConnell seems to acknowledge when he lumps together *National Review*, FOX NEWS, and George W. Bush as the "neoconservative orthodoxy." There's barely anyone left on the right to embrace *TAC*.

THERE IS, HOWEVER, one group that shares the Buchananite docket of suspicions—of Wall Street, capitalism, Zionism, American power: the anti-globalization left. Indeed, Buchanan has fitfully wooed them. He marched in the streets at the 1999 Seattle protests of the World Trade Organization, and he has spoken at labor rallies against free trade. During his 2000 presidential bid, he said he hoped to turn the Reform Party into the "Peace Party." Some of his aides-de-camp have gone further, taking Buchananism to its logical left-wing conclusions. Justin Raimondo, an adviser to Buchanan's 1996 campaign and a historian of the old right, runs *Antiwar.com*. The site posts screeds against American interventionism that complain about "empire" and "increased military spending." And by lifting the language of the left, he has acquired an audience on the left: *The Nation*'s Alexander Cockburn has published a column on the site, and *Salon* and alternative newsweeklies plug his work. For his part, Raimondo is unabashed about his ideological transformation. Last month he wrote on his site, "The only voices of dissent are heard, today, on the Left. ... This is where all the vitality, the rebelliousness, the willingness to challenge the rules and strictures of an increasingly narrow and controlled national discourse has resided."

And Raimondo is not the only one trying his hand at far-left/far-right synergy. On the University of California, San Diego, campus, David Duke's supporters have distributed flyers on "Israeli genocide." Lefty Pacifica Radio broadcasts right-wingers who rail against elites, including recordings of the late conspiracy theorist Anthony Sutton. Thomas

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Fleming, the editor of the paleocon *Chronicles*, told me, "I agree with environmentalists on chain stores, fast food, and the Americanization of Europe. I don't even bother calling myself a conservative anymore." Over the course of the '90s the anti-globalization critique that started on the right with Buchanan's 1992 and 1996 presidential runs migrated left. And 9/11, which has forever linked opposition to globalization to opposition to the war on terrorism, was the final straw. The Buchananites may not want to admit it, but in the post-9/11 era, as during the cold war, the prominent critiques of American internationalism will come from the left. *TAC* contributor Sam Francis says he has already privately advised the new magazine "to forget about the social issues" that divide them from their anti-globalization comrades on the left. Announcing the magazine in a *New York Press* column, Taki wrote: "Our motto for the magazine is that we are traditional conservatives mugged by the neocons." He'd be better off trying something different: closer to, say, "Workers of the world, unite!" ■

Bush's non-plan to oust Arafat.

Money Order

By JANINE ZACHARIA

IT WASN'T JUST the speech. In a series of remarks last month, George W. Bush took a tougher line against Yasir Arafat than even his most hawkish backers could have expected. First, on national television on June 24, he told Palestinians to dump Arafat and elect a terror-free leader or forget about statehood. Then, to back it up, two days later in an exchange with reporters, Bush said the United States would close its wallet to the Palestinians so long as their leaders remain crooked, and he called on the rest of the world to follow suit. Finally, when asked about going beyond diplomatic pressure on the Palestinians, Bush made this startling comment: "I'm never ruling out military [options]. All options are available." And far from retreating from Bush's words, a White House official promptly e-mailed them to American Jewish leaders.

But the tough talk is just that—talk. The truth is that the United States has little leverage over Arafat and the Palestinians. That's partly because Arafat mainly listens to the people who write him checks, and the United States has never written him many. The Palestinian Authority (P.A.) gets far more money from Europe, and the Europeans have shown little interest in following Bush's lead. And it's also because many in the Bush administration view even the noneconomic sticks the United States might wield as politically counterproductive. All of which means that while Bush's high-octane rhetoric may have substantially undermined Arafat's standing in the United States, it will likely prove a lot less effective on the Palestinian chairman's home turf.

ALTHOUGH AMERICANS GENERALLY regard the European Union's Mideast diplomacy as something of a joke, in recent years European leaders have attained some leverage over Arafat. One year ago, for instance, German Foreign Minister Joschka Fischer visited the Palestinian leader's compound after the Tel Aviv disco bombing and demanded that he stop the violence. Hours later Arafat declared a cease-fire and, for a short while anyway, put a halt to the attacks. Similarly, after Bill Clinton's failed Camp David summit in July 2000, it was the Europeans who, in a crucial moment of solidarity, sided with the United States and persuaded Arafat not to declare statehood unilaterally. More recently European diplomats played an instrumental role in negotiating an end to the standoff around the Church of the Nativity by agreeing to accept the terrorists holed up there. "The more Washington severs its relations with Arafat and distances him, the less leverage it has over him in the future. And this will leave Arafat in the hands of the European Union," said one U.S. official.

It's not hard to figure out why the Europeans enjoy influence with Arafat: They control the purse strings. The battered P.A., virtually unable to collect revenue from its own people, relies heavily on international assistance. The Arab states from time to time pledge large sums of money, but they don't always follow through; even when they do, the money often goes into the pockets of senior officials rather than into the running of the P.A. itself. That leaves the EU as the P.A.'s largest and most reliable donor. In fact, it depends almost entirely on EU goodwill to pay the salaries of its civil servants and police, especially since Israel has blocked the transfer of Palestinian revenues in a bid to pressure Arafat. (Arafat was late in paying the salaries of roughly 130,000 government employees last month.) This European support ensures his ability to pay them in the future—and thus preserves the loyalty of his key political base. It also gives Arafat legitimacy outside of the Arab world, something he desperately craves.

But the Europeans aren't likely to use their financial muscle to push Arafat aside. The day after Bush's speech, French Foreign Minister Dominique de Villepin rushed to meet the Palestinian chairman in Ramallah, where he reaffirmed, "It is up to the Palestinians alone freely to choose their leaders." Britain's Minister of State for Foreign Affairs Mike O'Brien quickly followed him there, buttressing the Palestinian leader by praising his promises to do all he could to end suicide bombings. Other European leaders—Fischer, Danish Prime Minister Anders Fogh Rasmussen, and Swedish Foreign Minister Anna Lindh among them—have pledged to continue working with Arafat. An EU communiqué issued several weeks before Bush's aid threat said the EU "will continue to provide direct budgetary support to the Palestinian Authority to the tune of ten million euros [about $9.88 million] a month." Says one former senior U.S. official involved in Middle East policy, "It is clear the Europeans, even the British, are not going to support the oust-Arafat movement.

JANINE ZACHARIA is Washington correspondent for *The Jerusalem Post*.

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Where We Stand

A commentary on public education and other critical issues

Vouchers and Accountability

By SANDRA FELDMAN, President
American Federation of Teachers

Last month, a sharply divided Supreme Court upheld the constitutionality of the Cleveland voucher program. The battle over using public money to send children to private secular and religious schools will now move to individual states.

It is no secret that we disagree with the decision. We consider vouchers bad public policy, and we will continue to oppose new voucher laws at the same time as we fight to improve the public schools. After all, that's where 90 percent of America's children go. We will also continue to insist that voucher schools, financed by taxpayer dollars, be held to the same standards of equity and accountability as public schools.

So far, this has not been the case. Public schools are required by law to accept students of all races, religions, abilities, and economic backgrounds; they may not discriminate. The same rule applies when they hire teachers. And federal law requires that public schools provide a free and appropriate education for all students with disabilities. Private schools, on the other hand, are free to turn away children they think might be difficult or expensive to educate—or they can push the kids out later. This is their right as *private* schools, and I have no quarrel with it—as long as they do not expect *public* funding. But voucher schools do draw from the same taxpayer money as public schools, and they must not be allowed to exclude a child because he is in a wheelchair or has a learning disability.

Mandatory Testing and Accountability

Voucher schools must also be held to the same standards as public schools when it comes to accountability for student achievement. Parents and the public have a right to know how well students are doing in any school that receives public funding. This transparency is designed to show when and where a system is failing and where additional help or resources are needed. Public schools are now required by law to test their students and to report the results of these tests to the public, and schools whose students consistently do poorly face sanctions.

Currently, voucher schools do not have to meet any of these standards. They are free to be excellent, but they are also free to fail. They will not have to test or reveal the results of any tests they do give, and there is no timely way for the public to know whether a voucher school is doing a terrific job or a terrible one—unless, of course, some big crisis occurs, like a school shutting its doors in the middle of the year (which has, incidentally, occurred more than once in the Milwaukee voucher program). Nor do teachers in private schools have to be certified or demonstrate any knowledge of the subjects they teach—something that new federal legislation will require for public school teachers. In some states, private school employees, including teachers, are not even subject to criminal background checks.

Voucher schools must be held to the same standards as public schools.

The Public's Right to Know

Many voucher schools will pass muster, but the public needs to know about the ones that are failing. It also needs the power to intervene in these schools, a power that federal law now gives to states in the case of public schools that consistently fail. We have long supported redesigning low-performing public schools. The same thing must happen with low-performing voucher schools, especially since many of them will be serving poor children. But without transparency, without public test results, that cannot be done.

Americans have always insisted that schools funded with public money educate all comers. This has been a core value. Accountability, although a newer value, is nonetheless important. Shareholders require honest and open information about how well a company is doing—and we see how important it is given the Enron and WorldCom scandals. This kind of information is much more important when the education of children is at stake. We can recognize what is excellent, fix what is wrong, and make sure that "no child is left behind" only if voucher schools are open to the same scrutiny as public schools. And subject to the same sanctions.

These principles are simple and essential to schools that serve our children and our country. Voucher schools that refuse to be held accountable to the public must not get public dollars. ▮

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The Europeans increasingly think the real problem is not Arafat; it is [Ariel] Sharon. That disconnect between the U.S. and the EU is not healthy."

UNHEALTHY IS ONE word for it. Crippling is another. That's because without a united U.S.-European front, Arafat is unlikely to step aside. "When the U.S. and the Europeans show some distance between them, Arafat tries to use it to his advantage," an Israeli official explains. "If they are not in sync, he thinks he has some room to maneuver." Bush's bluster aside, the United States gives no direct aid to the P.A. Washington does send roughly $75 million annually, but unlike the EU's money—which pays salaries—America's aid is all humanitarian, administered primarily through USAID for things like health care and education. Humanitarian aid provides the United States little leverage over Arafat because it doesn't go to the Palestinian leader and because, as humanitarian aid, it can't be easily withdrawn to make a political point. The United States appropriated another $50 million in disaster relief this spring, following Israel's offensive in the Jenin refugee camp, that will be distributed by the State Department. And the United States contributes roughly another $80 million annually to the United Nations Relief and Works Agency, which administers Palestinian refugee camps. All those funds will be distributed on schedule, American officials say—Bush's comments notwithstanding. The United States did give the Palestinians $400 million as a reward for signing a peace deal with Israel at Wye River in 1998: $300 million have already been allocated for ongoing projects, and the remaining $100 million will be earmarked for health services and emergency employment by the end of the year, despite Bush's speech.

To be sure, there are nonfinancial levers the Bush administration could wield on behalf of its new hard line. If the P.A. does not stop supporting terrorism, for instance, the United States could revoke permission for the Palestinian Liberation Organization (PLO) mission in Washington or place Arafat's Fatah movement on the State Department's list of terrorist organizations and thereby prohibit its members from entering the United States. Both steps are being pushed by pro-Israel legislators on Capitol Hill. But both are likely to be disregarded by the White House. For one thing, some of the senior Fatah officials who would be banned from entering the United States, like ex-Gaza Preventive Security Chief Mohammed Dahlan, are precisely the people the United States wants to court as possible Arafat successors. Similarly, State Department officials worry that if they kick the PLO out of Washington, they won't be able to effectively negotiate post-Arafat reforms. And that view seems to have support within the White House, where national security adviser Condoleezza Rice—perhaps fearing a visa ban—has pointedly refused to call Arafat and his men terrorists.

U.S. officials have not articulated a real strategy to "pressure" the Palestinians. The Bush administration is still trying to convince Arab and European governments to exert some of that pressure on America's behalf—a case Bush officials will make on July 16 when representatives of an expanded "Quartet" (the United States, EU, U.N., and Russia, along with the Saudis, Jordanians, and Egyptians) convene for an informal get-together in New York. But there's virtually no evidence they'll do so. The Bush team is also relying on the Palestinians themselves in the hope that even without foreign pressure, they'll rise up and overthrow Arafat themselves. "President Bush is saying that the Palestinian people, given a choice, will, he believes, make good choices," Rice said recently. Perhaps. But that sounds more like a hope than a plan. ■

Tokyo Dispatch

Flight Risk

By ERIC WEINER

IF THE BOOK titles on a country's best-seller list afford a window onto its national soul, a portal that reveals its hopes and—perhaps more acutely—its fears, then it's not hard to tell what Japan is worried about these days. *The Day China Surpasses Japan* is selling well. So is *The China That Threatens to Swallow Japan.* And then there's my personal favorite, admirable for its bluntness if nothing else: *The Ugly Chinese.*

If these alarmist predictions sound familiar, perhaps it's because 15 years ago a raft of similar doomsday titles flooded American bookstores. Back then America's literature of national decline postulated that an ascendant Japan was about to overtake Uncle Sam as the world's most robust economy. And now the Japanese are seized with a similar fear: that slowly, yet inexorably, China is displacing Japan as the most powerful economy in the region. China's already huge population is growing, from 1.28 billion people today to an anticipated 1.45 billion 20 years from now; Japan's is expected to shrink from 127 million to 122 million over the same span. During the past decade China's economy has grown at seven times the rate of Japan's and shows no sign of slowing down—at this rate, China's GDP is expected to pass Japan's in 20 to 25 years.

It's not Sony or Honda or other Japanese powerhouses that are feeling the heat from across the Sea of Japan, at least not yet. For now it's people like Motoki Hirabayashi—who owns a small towel company in the Southern, blue-collar town of Imabari—who are fighting a losing battle against Chinese imports. You don't have to be an economist to figure out why. Chinese workers earn, on average, $65 per month. Japanese workers earn 25 times as much. Until recently this vast wage differential hardly flustered the likes of Hirabayashi. Chinese goods were shoddy, the subject of jokes among Japanese businessmen. But no one is laughing anymore. "The quality of Chinese products is improving every day," Hirabayashi told me. "And when it comes to price, I just can't compete."

Some Japanese firms have already conceded defeat and moved their manufacturing operations to China. The elec-

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tronics firm Aiwa, for instance, has shifted 90 percent of its manufacturing outside of Japan, mostly to China and Indonesia. According to an August 2001 survey of 1,010 companies by the Japan External Trade Organization, 42 percent of them are considering moving some or all of their operations to China. This Japanese version of the "giant sucking sound" is one reason the nation's unemployment rate has risen from a postwar average between 2 percent and 3 percent to 5.2 percent today. Though that number may not sound catastrophic by American standards, in the land of lifetime employment it has contributed to a number of social maladies to which the Japanese thought they were immune: high suicide and divorce rates and a vague but nagging sense of malaise.

DESPITE MUCH hand-wringing in Nagatacho, the Tokyo neighborhood that houses most government offices, there's little agreement among Japanese politicians about how to deal with the threat posed by China's economic growth. Some grumble about the continuing flow of foreign aid from Tokyo to Beijing. (In 1999—the most recent year for which statistics are available—Japan gave China over a billion dollars in loans and direct grants, mostly for public works projects, according to Japan's Foreign Ministry.) Other politicians say Japan should focus on the "brain work" of manufacturing (design) and leave the grunt work (assembly) to developing countries such as China. But much as Japan would like to leverage its education and infrastructure advantages to offset China's low labor costs (as, for example, the United States has done with Mexico), Japanese industry has so far shown itself more interested in stability than in the kind of innovation and entrepreneurial spirit valued in the United States. China's ambitions, moreover, go far beyond merely providing a labor pool for Japanese corporations. Though Chinese business began by specializing largely in labor-intensive products, such as towels, it is moving up the industrial food chain and has already begun encroaching on Japan's core industries: electronics and computer chips. If the trend continues, Japan could see its global trade surplus vanish as early as 2007, according to some estimates—a potential disaster for Japan's export-based economy. Analysts in Japan say that if the trade surplus turns to deficit, it will likely cause drops in the yen, the stock market, and government bonds and mean higher interest rates that could lead to further corporate bankruptcies.

Moreover, as Japan's economy slips relative to its larger neighbor, it has little else to fall back on. Despite its extraordinary economic success, Japan has never really found its place on the postwar world stage. A permanent seat on the U.N. Security Council remains elusive. Japan's pacifist constitution, drafted by General Douglas MacArthur, prevents Japan from playing a key role in military endeavors. Sure, Japan gives and gives generously—it is Asia's largest provider of foreign aid—but checkbook diplomacy has not earned it the influence it craves. (Japan has played a far smaller political role in the Middle East, Afghanistan, and the India-Pakistan crisis than has the European Union.) Even in East Asia itself, Japan's efforts at regional power have not borne fruit—in part because Tokyo has yet to fully apologize for the atrocities it committed during World War II, and its neighbors have yet to forgive it. Meanwhile, China, unburdened by a colonial past, is busy positioning itself as a regional economic superpower. Two years ago Chinese Premier Zhu Rongji proposed a free-trade agreement between China and Southeast Asian nations within ten years—an agreement that by excluding Japan would usurp its role as the self-declared economic godfather of the tiger economies to its south.

On a recent trip to Tokyo, former U.S. Trade Representative Charlene Barshefsky offered this dire warning: "Year by year Japan's influence will erode, and the centrality of the U.S.-Japan relationship to Pacific affairs will diminish with it." Indeed, it's already happening. In 1998 President Bill Clinton broke with protocol and skipped the requisite stopover in Tokyo on his way to Beijing.

THE JAPANESE PUBLIC is mildly concerned that its country's global influence may be declining, but there is hardly a sense of urgency. Most of my Japanese friends simply sigh and say, "*Shikata ganai*"—"It can't be helped." Fatalism runs deep in modern Japan. "If you compare the situation to a boxing match, it's like Japan has only lost one round but is already panicking that it will be knocked out and is losing the fighting spirit," C. H. Kwan, a senior fellow at the Research Institute of Economy, Trade, and Industry, a quasi-official think tank in Tokyo, told Japan's *Nikkei Weekly* in January. For the most part, the increased tension between the two Asian powers remains hidden. But every now and then it surfaces, often in unexpected ways—a dispute last year over mushrooms and leeks that nearly blossomed into an all-out trade war; a diplomatic spat over the fate of North Korean refugees seeking asylum at a Japanese consulate in Northern China; complaints from China about Japanese textbooks that it says downplay Japanese atrocities in World War II.

Some optimists believe the Chinese threat may ultimately work to Japan's advantage. Fear, after all, has a way of focusing the mind. And it wouldn't be the first time an outside force spurred Japan to change. In 1853 Commodore Matthew Perry's black ships sailed into Yokosuka harbor, abruptly ending centuries of Japanese isolation and triggering the Meiji restoration. Japan caught up to the West with remarkable speed. It did so again in 1945, shrugging off defeat to perform an economic miracle. Will this new threat stir Japan to change once again, replacing the highly efficient but ultimately inflexible economic system that produced the postwar miracle but appears unable to address the challenges of the new millennium?

Perhaps, but don't count on it. A friend of mine describes Japan as "a country desperately trying to maintain the status quo." And who can blame it? The status quo isn't so bad. Tokyo hardly seems like a city on the verge of an economic breakdown. I can walk anywhere, anytime, and not think twice about my personal safety. There are fewer homeless people in all of Tokyo than in one neighborhood in Manhattan. Designers like Louis Vuitton still count on Japanese shoppers for half of their global sales. Things won't get better in Japan, many suspect, until they get a lot worse. ■

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China's war on terrorism and ours.

United Nations

By LAWRENCE F. KAPLAN

HAD IT NOT been so filled with homespun charm, the state dinner Jiang Zemin threw for President Bush in Beijing in February would have qualified as a truly disgusting spectacle. While outside the hall China's troops were ransacking Xinjiang province, its ships were delivering weapons of mass destruction to Iran, and its growing arsenal was arrayed against Taiwan, inside the Chinese leader was warbling "O Sole Mio" in Italian to George W. Then, to the tune of "Eyes of Texas," he spun Laura Bush and sashayed Condoleezza Rice around the dance floor. The president clapped along.

Why all the celebrating? Because long gone are the days when Bush referred to China as a "strategic competitor" and Rice called Beijing a "problem." Gone, too, is the acrimony that followed China's decision to hold an American aircrew hostage last year. The war on terror has washed all that unpleasantness away. Visiting Shanghai last October, Bush announced that China stands "side by side with the American people" in the war against terrorism. U.S. Ambassador to China Clark Randt Jr. hails Beijing as "an increasingly responsible, integrated member of the global community," while Secretary of State Colin Powell insists that the U.S.-China relationship "is back on an improving track." Alas, China's leaders don't see the world quite the way their American interpreters do. Jiang's serenades notwithstanding, they still view the United States as their principal adversary. Which may explain why, despite turning a blind eye to China's execrable conduct at home and abroad since 9/11, the United States has received next to nothing in return. What it doesn't explain is why the Bush team would entertain such a bargain in the first place.

Among the things that haven't changed since September 11 are the depredations China inflicts on its ethnic and religious minorities. Beijing has appropriated Washington's wartime rhetoric as its own, but for reasons that have little to do with fighting terrorism and a lot to do with preserving dictatorship. At times the result has been sheer parody. Thus, at the height of America's anthrax scare last October, Chinese Foreign Ministry spokesman Sun Yuxi announced that the pages of Falun Gong "propaganda" were suspected of being laced with anthrax as well. A more sinister example of Beijing's twisting the war on terror to its own ends can be found in the western Chinese province of Xinjiang. On the eve of Bush's trip to Shanghai last October, Beijing launched a "high-pressure strike-hard" campaign to rid the province of "religious extremism." Chinese troops poured into Xinjiang, where they have since arrested or executed dozens of ethnic Uighurs whom they accuse of being terrorists. Foreign Ministry spokesman Zhu Bangzao insists that "the fight against separatists in Xinjiang is part of the fight by the world against terrorism." It is not. Like the Tibetans, Xinjiang's Uighurs have been struggling—mostly peacefully—for autonomy from Beijing for half a century.

Yet the Bush administration has offered only perfunctory expressions of regret about the Uighurs' fate—and then undermined those with ongoing claims that, as the president put it, "the United States and China can accomplish a lot when we fight together to defeat terrorism." On a visit to Hong Kong in January, Randt insisted that China was not getting a "free pass" from the United States. But were the administration serious about halting the repression in Xinjiang, says Mickey Spiegel, a senior China specialist at Human Rights Watch, "it would make a much stronger statement to indicate that China should not be using 9/11 as an excuse to persecute peaceful Uighurs, and it wouldn't follow that up by saying, 'On the other hand....'"

Then there is Taiwan. Last April, Bush insisted that the United States would do "whatever it takes" to defend the island democracy. But that was then. "You won't hear much about dissidents, or Taiwan, or the dustup with the spy plane," a Bush aide told *The New York Times* last October. "[The president] can't afford that now." Taiwan, however, can't afford Washington's silence. In the absence of a clear American deterrent, there's little to restrain China from threatening the republic. On March 19 CIA Director George Tenet testified before the Senate Armed Services Committee that "China continues to upgrade and expand the conventional short-range ballistic force it has arrayed against Taiwan." That same month Beijing temporarily canceled naval exchanges with the United States because of Taiwan,

TIM CARROLL

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In the mid 1980's Congress abolished parole and passed harsh drug sentencing laws. Many states followed, creating a tenfold increase in the number of drug offenders incarcerated.[1]

If prisoners were able to earn earlier release:

- Incentives toward cooperation, study, and learning skills would create a safer environment for staff and prisoners alike.
- Families could be reunited earlier, with better prospects for successful reentry into society.
- High costs incarcerating drug offenders — $9.4 billion annually[2] — would be dramatically reduced.
- Inhumane prison overcrowding would be redressed. The federal system is already 31% over capacity, and is growing at more than 9% annually — the equivalent of a prison a month to keep overcrowding from growing worse.[3]
- Prisons would less likely be breeding grounds for extremists and terrorists.[4]

Isn't rewarding achievement the American Way?

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[2] Bureau of Justice Statistics, Profile of Jail Inmates 1996 (Washington, DC: US Government Printing Office, April 1996), pp. 1, 4; Bureau of Justice Statistics, Prisoners in 1996 (Washington, DC: US Government Printing Office, 1997), pp. 10-11; Criminal Justice Institute, Inc.: Camp, George M. and Camp, Camille Graham. The Corrections Yearbook, 1998. Middletown, Connecticut: Criminal Justice Institute, 1999.
[3] US Dept of Justice, An analysis of non-violent drug offenders with minimal criminal histories, DOJ executive summary, Feb 4, 1994. "Since the end of 1988, when the full impact of these new laws was realized, the prison population has grown by an average of over 650 inmates per month, or enough to fill one medium size institution with each new month." (p. 13)
[4] Cal Thomas, "Radical Recruiting in US Prisons", Lancaster New Era, June 22, 2002.

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dressed down Randt for America's continued relations with Taipei, and launched a war of words against Washington.

Venting Beijing's "indignation," Sun Yuxi railed that America's support for Taiwan "will give rise to the arrogance of Taiwan forces for independence and will damage [U.S.-China] bilateral ties and cross-strait relations." To underscore the point, Beijing announced the same week that it would boost defense spending next year by 17 percent—a move that, taken together with Beijing's missile buildup along the Taiwan Strait and Chinese submarine purchases from Russia, alarmed senior Pentagon officials, who argued for a restatement of America's commitment to Taiwan. But, under White House pressure, those officials began eating their words. Deputy Secretary for Defense Paul Wolfowitz, who only last year argued for clarifying America's policy of "strategic ambiguity" in favor of Taiwan, clarified matters last month by flatly declaring in a press briefing that the United States is "opposed to Taiwan independence." After all, the longtime China hawk explained later that week, "the emergence of major new powers has frequently threatened the stability of the existing order. But we can be much more hopeful of a positive outcome in China's case because all the countries of the region are prepared to welcome a strong Chinese role in a constructive regional order." And to prove the point, the administration has dispatched Assistant Secretary of Defense Peter Rodman to Beijing, where he has been instructed to revive military-to-military contacts between the United States and China, which have been moribund since the EP-3 crisis.

Finally, there is weapons proliferation. In his State of the Union address and elsewhere, Bush has defined the post-9/11 threat as coming not merely from terrorists but also from "nations which develop weapons of mass destruction" (WMD). Randt has made clear in several speeches that Bush's admonition applies also to China, whose lethal exports the ambassador routinely calls a "make or break" issue in Sino-American relations. Yet Beijing not only continues to export WMD technology; it exports that technology to the very members of the "axis of evil" Bush insists must never obtain it. In congressional testimony last month, Assistant Secretary of State for Nonproliferation John Wolf said Chinese firms still provide "missile-related items, raw materials, and/or assistance to several other countries of proliferation concern such as Iran, North Korea, and Libya." Beijing also continues to lavish sophisticated arms on Pakistan, quickening the pace of deliveries precisely when tensions between India and Pakistan escalate—as in December 2001, when Beijing responded to an intensifying crisis in Kashmir by dispatching five shiploads of weapons to Islamabad. Never mind that China pledged to halt those deliveries two years ago: When Bush visited Shanghai last October, Jiang brushed aside his request that China abide by its word. When the president returned to China this February, his diplomatic counselors boasted that this time he would *really* put Jiang on notice. But once more, according to administration officials, Bush left empty-handed. None of this, however, seems to have made the slightest impression on the National Security Council's (NSC) China point man, James Moriarty, or on the State Department's East Asia desk, which have gone so far as to press Undersecretary of State John Bolton to lift sanctions on the export of dual-use technology to Beijing.

Why all the kowtowing? "The fact is," explains a senior Bush adviser, "[China] hardly comes up at principals' meetings, and if there's some backsliding, it's mostly for lack of attention." According to this official, Powell, Dick Cheney, Rice, Donald Rumsfeld, and his deputy, Wolfowitz, view U.S.-China relations mainly through the prism of the war on terror; understand that the Chinese feel encircled by the newly bolstered U.S. forces in East and Central Asia; and, as such, "just don't want China to get in the way." But there is a second group of personalities in the Bush orbit who would like the president to exploit 9/11 as an opening to Beijing. These include the president's father, who, on a trip to China sponsored by *BusinessWeek* last month, boasted, "I know I speak for our president, his Cabinet, and many more in the United States when I say that we welcome the chance to move in the same direction and make up for lost opportunities in the past." Reiterating the White House line, he added, "Everybody in the U.S. is grateful to China for standing with us in the war against terror." This group also includes officials at the NSC and Foggy Bottom, among them the NSC's Moriarty, Deputy Assistant Secretary of State for East Asia Donald Keyser, and Ambassador Randt. By contrast, Bolton, Undersecretary of Defense Douglas Feith, and aides in the vice president's office have argued for a firmer line toward Beijing—reasoning that, if anything, China belongs on the same roster as its clients. But they have gotten exactly nowhere. Indeed, the NSC is currently holding up the public release of a controversial Pentagon report that details China's military buildup.

IN THE NAME of the war on terror, of course, the administration has turned a blind eye to unsavory regimes across the globe. But countries such as Uzbekistan and Pakistan have offered us valuable strategic assistance in return. China hasn't. Beijing offered grudging rhetorical support early on during the war in Afghanistan. But that support has since been eroded by Chinese suspicions that America's presence in Central Asia will, as Chinese strategist Deng Hao wrote recently in the government-sponsored journal *International Studies*, "remold the strategic configuration of the area, presenting a challenge to China's security." In the most recent display of such suspicions, a parade of senior Chinese officials took to the podium at Beijing University last month to announce that, when Bush refers to the "axis of evil," what he really has in mind is them. China engagers note that since 9/11 Beijing has shared intelligence with Washington, gleaned primarily from listening posts China has erected along the Afghan border. But according to administration officials, the quality of that intelligence has been poor and exceedingly vague. "With other governments that we're operating with more closely, like the Philippines or Singapore and Malaysia, it's very detailed, tactical information of the type you need to take action," U.S. Pacific Command Chief Admiral Dennis Blair complained in April. "I think we need to get to that level with Beijing, and it's not quite there yet."

To be sure, during wartime the United States must take its

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Great Minds of the Western Intellectual Tradition

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allies where it can find them. But not when they're on the other side. China, after all, has been worse than neutral in the war on terror; by arming the very nations the president has identified as America's wartime enemies, Beijing has directly undermined his efforts. The administration, however, has taken no adequate response. "This is a complete failure to take seriously our own nonproliferation policy," says University of Pennsylvania China scholar Arthur Waldron. "If you want to find connections with terrorists, you must look at the rogue states, and it is China that has aligned herself with and supports them—you can't wish that out of existence." Indeed, the Bush team can hardly expect Iraq, Iran, and North Korea to heed its demand to stop importing WMD technology when it won't insist that China stop supplying them.

Is it really necessary to point out that the United States needs to resist the inclination to isolate the war on terror from its broader global strategy? That means resisting the idea that the war relieves Washington of the obligation to speak out forcefully in defense of Taiwan—and for that matter, in defense of Chinese human rights. More broadly, it means resisting the idea that the war has transformed China into an ally, which many administration officials seem unable to do. In a recent speech, Rice declared that "all the world's great powers clearly see themselves as falling on the same side of [the post-9/11] divide." But the administration's insistence that Washington and Beijing fall on the same side of that divide is based on little more than excitement over its own rhetoric. China's leaders still play by the old rules: Osama bin Laden is not their principal foe. The United States is. Pretending otherwise might comfort the sensibilities of U.S. officials. But not nearly as much as it comforts their counterparts in Beijing—who know better. ■

White House Watch

World Away

By Ryan Lizza

For over a week now, President Bush's dodgy stint at Harken Energy one decade ago has followed him around the country like a dark cloud. From a campaign event in Milwaukee on July 2 to his vacation in Kennebunkport over the Fourth of July weekend to his awkward July 8 press conference in Washington to his big speech on corporate responsibility the next day in New York, the Harken story has dominated White House coverage. But it didn't have to turn out this way. Had it not been for the tireless work of a lone Democratic operative, few would even be talking about the unusual parallels between Harken and the current crop of accounting scandals. Since Enron's collapse, one Democratic National Committee spinner pitched reporters on a story about the similarities between the energy trading company's shenanigans and Bush's at Harken. "I spent months trying to get that story out," he says. "There was a tremendous amount of resistance. Reporters didn't want to write it. Editors didn't want to run it." His first success came in March, when the story was finally injected into the media bloodstream by *The Wall Street Journal*. But no other reporters picked it up, and as the Enron scandal petered out, interest in the Harken story died with it. That is, until WorldCom, which gave *New York Times* columnist Paul Krugman a hook to mention it in a July 2 column. That same day, as Bush toured Milwaukee's Holy Redeemer Institutional Church of God in Christ, he made the mistake of approaching ABC's Terry Moran, who seemed to have a question. "Yes, Terry, what is it?" Bush inquired. Moran asked about Harken, and Bush seemed stunned. "Everything I do is fully disclosed, it's been fully vetted," he snapped. "Any other question?" That was all the reaction that was needed for every major news organization to begin revisiting the Harken story.

Not since the early days of the Enron bankruptcy last year have White House aides had to deal with the full onslaught of Washington's scandal machinery. And this time they're not dealing nearly as well. With the Harken frenzy peaking, Bush's impromptu Monday press conference seemed an attempt to change the subject. But the attempt failed. His opening remarks about defense spending and homeland security legislation were ignored, and his responses to the many queries about Harken raised far more questions than they answered. Once again he appeared irritated and defensive: As he switched back and forth between dismissing Harken's overstated balance sheet ("This was an honest disagreement about accounting procedures") and condemning the current corporate improprieties ("I think what hurts the market confidence in the recent cases was the inflated numbers"), he sounded like he was working from two sets of talking points—each making the opposite case.

Tuesday's remarks weren't much more effective. The White House has an impressive record of using big speeches to turn the tide on tough political issues. Bush's deft speech on cloning was hailed as a political victory. His post-9/11 address to Congress exceeded all expectations and reassured many who had watched him stumble through days of awkward public appearances. And his June 6 speech on homeland security stopped a slide in the polls and silenced questions about intelligence failures. But Bush's speech on corporate responsibility has not similarly taken him off defense. Unusually for the Bush team, the politics and the policy were poorly aligned. The White House itself built up expectations by billing Tuesday's announcements as a Big Speech. But in an environment of media-fanned anti-corporate outrage, the only way to live up to that billing was to be supertough. So when the Bush policy wonks weren't willing to match the Democrats' hard-line regulatory proposals, the media treated the speech as disappointing, even disingenuous—rhetorically tough but substantively predictable and weak.

All of which means the White House that dodged the Enron bullet might not be so lucky a second time around. For

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one thing, the further we get from 9/11, the more willing Democrats are to be partisan and the less willing the press is to be docile. The Bush team may also be paying the price for what looks like a political miscalculation in the waning days of the Enron story. When Enron was on the front page, Bush talked tough about corporate accountability. But when the issue faded, his aides seem to have gambled that keeping it in the news was worse than appearing not to have much interest in reform. And so corporate responsibility fell out of Bush's stump speech (it merited a single line in his State of the Union address), and he went back to talking only about the war on terror and his preexisting "compassionate conservative" domestic agenda. That left Bush vulnerable when WorldCom hit. Democrats immediately moved the once-moribund Sarbanes bill to the Senate floor, quickly establishing it as the gold standard of reform. Bush took two weeks to come up with his plan, and it was immediately declared inferior to the Senate's. Bush's plan wouldn't create a new felony for securities fraud, as an amendment by Senator Pat Leahy would do, and it simply increases the sentences for the narrow criminal categories of wire and mail fraud. Bush also does not go as far as Democrats in preventing conflicts of interest between auditors and firms, an issue at the center of the accounting scandals. And the president failed to match even the House *Republicans* in upping funding for the Securities and Exchange Commission (SEC).

The White House is counting on the public not to notice these esoteric differences. And even the press finds them mind-numbing. But that makes it all the more significant that this time journalists seem inclined to believe the worst about the Bush approach. That's partly because the White House ignored the issue all spring—reportedly despite Bush's own desire to speak out—leaving Bush with less credibility this time around. And it's partly because when Enron hit, it was a one-company story, which made the GOP's "bad apples/don't overreact by overregulating" approach more plausible. These days, after a half-dozen scandals have created the impression that Enron-style conduct is widespread, few Republicans are willing to publicly make the case against overregulation. And without that ideological buttress, the president's proposals simply look weak.

THE WHITE HOUSE is having trouble for another reason as well. With Enron, Democrats foolishly conjured the smoking gun of a Bush administration effort to keep Enron from going under. But the smoking gun never turned up. At the same time, Republicans pointed out that Democrats also took money from the company, and Bush pushed a mild corporate-reform proposal to address the problem. As a result, the Democrats' promise to use Enron as an all-purpose metaphor for the administration's policies lost traction. This time the Democrats' charges—that Bush and Dick Cheney's past behavior mirrors the corporate fraud making headlines today—are less spectacular but also harder to knock down. And they complicate Bush's proposals for reform. For instance, Bush is now demanding that executives disclose any significant sale of their company's stock within two days. Yet on four separate occasions at Harken he was anywhere from 15 to 34 *weeks* late in disclosing such sales to the SEC. He is calling on companies to end the practice of granting loans to corporate officers. As one senior administration official put it, "Corporate officers should not be able to treat a public company like their own personal bank." Yet Bush borrowed at least $180,000 from Harken while he was a director. Bush is calling for financial statements to "be written in a straightforward, easily understandable form," while it's known that Harken's disclosure documents were notoriously inscrutable. Bush also announced that "corporate officers who benefit from false accounting statements should forfeit all money gained by their fraud." While Cheney was CEO of Halliburton, he made $2.6 million in bonuses alone after the company changed its accounting methods in 1998 and started booking as revenue potential payments from customers that were not guaranteed to materialize. The SEC is investigating whether the accounting change was proper. Previously, Cheney's backers argued (plausibly) that as CEO he probably had no knowledge of this arcane matter. But that is no longer an effective defense now that Bush has demanded that CEOs "personally vouch for the veracity, timeliness, and fairness" of their company's financial statements.

THE HARKEN STORY shows no sign of dying. Indeed, Bush opened the door to more questions during his press conference when he instructed reporters to "look back on the director's minutes" for information about what Bush thought of the sale of Harken's Aloha subsidiary. Neither Bush nor Harken have ever made those minutes available, despite a decade of reporters' inquiries. Others close to the White House sound much more troubled by the nascent Halliburton investigation. And there are more land mines ahead. Senator Joe Lieberman continues his quiet and patient Enron investigation and is sitting on a cache of subpoenaed White House records. The General Accounting Office continues to press ahead with its lawsuit against Cheney over the energy task force, and oral arguments on certain aspects of the case are scheduled for September. In addition, a separate lawsuit regarding a Freedom of Information Act request for energy records is also moving forward. In the current climate, revelations from any of these inquiries will be explosive.

The new environment also undermines Bush's legislative agenda. Not because his domestic priorities have shifted. (Despite the relatively pro-regulatory tone in his speech Tuesday, they haven't.) Rather, because most of those debates feature Republicans, including Bush, defending business interests. And in a climate as sharply anti-business as the one we're in now, those lines of argument will be extremely tough to make. Consider the legislation now pending in Congress. On prescription drugs, Bush supports the industry-backed bill recently passed by the House after GOP leaders enlisted pharmaceutical industry lobbyists to round up the final votes. Bush also wants action on his energy plan, a wish he slipped into his opening statement at Monday's press conference. But it is loaded with subsidies for oil and gas producers, and it's hard to see how the current

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mood in Washington favors Bush and the Republicans in a debate over whether to award millions of federal dollars to energy companies. In his Tuesday speech Bush also called for making his tax cut permanent. But even some Republicans (like Florida Representative Mark Foley) have recently admitted that if last year's tax cut were being debated today, it wouldn't stand a chance of passing. Permanent repeal of the estate tax alone, Democrats are pointedly noting, would award Enron's Ken Lay $59 million and WorldCom's Bernard Ebbers $38 million. Good luck passing that. Bush also mentioned in the speech a terrorism insurance bill that he supports, which is languishing on Capitol Hill. What he didn't say, however, is that he has threatened to veto the Senate version because it includes civil-liability provisions opposed by a coalition of insurance and business interests. Finally, he wants a deal on fast-track trade authority, on which the debate centers on how much health insurance and transitional assistance to provide laid-off workers. (Bush wants less than the Democrats want.)

In other words, most of this year's domestic policy debates feature Republicans allying themselves with big business and Democrats arguing for tougher regulation. Before WorldCom, those debates weren't easy for the Bush administration, but they weren't impossible. Now Bush isn't only on the defensive on corporate fraud; corporate fraud is putting him on the defensive on almost everything else. ■

Will WorldCom save the economy?

No Pain, No Gain

By NOAM SCHEIBER

LAST FALL, WILLIAMS Communications Group (WCG) looked like as good a bankruptcy candidate as any. The firm was supposed to make money by selling access to its 33,000-mile fiber-optic network to phone companies and Internet service providers. But a glut of fiber-optic cable had driven prices for that service down dramatically, while communications traffic was barely increasing. That left WCG's revenues at only a fraction of what had been expected when all its cable had been laid. To make matters worse, the company was straining under the $5 billion in debt it had used to build its huge infrastructure. And yet bankruptcy was nowhere on the horizon. Instead WCG initiated a fairly amicable renegotiation of the terms of its debt.

Only this February did the company's fortunes really head south. But once they did, the fall was precipitous. On February 20, WCG's creditors promptly walked away from their ongoing discussions with the company. One month later WCG announced it would have to consider bankruptcy; one month after that it filed for Chapter 11. According to the company's CEO, Howard Janzen, the reason for the reversal was simple: The ripple effects of two of the biggest accounting scandals in history, which had damaged the faith of creditors and investors. "I don't want to blame Enron and Global Crossing," Janzen told *The Washington Post* in March, "but the reality is ... if neither of those events occurred ... I do not think we would be here."

Now that WorldCom's collapse is headlining a second wave of corporate scandals, jittery investors and creditors are retrenching all over again. In recent weeks Adelphia, Tyco, and Xerox—among others—have all disclosed accounting irregularities, leading the Dow Jones to shed 1,400 points, or 14 percent of its value, since its mid-May rally. The wave of corporate restatements has also led to higher interest rates on corporate debt, pricing some firms out of the debt market as creditors worry that loaning them money might be a riskier proposition than they'd once thought. As a result, many commentators now share Janzen's concern that otherwise viable companies may be driven under by their creditors, causing a wave of bankruptcies and layoffs that could undermine an already fragile recovery. "[O]nce we had WorldCom and then Xerox, there's a straw that breaks the camel's back," observed University of Pennsylvania financial economist Jeremy Siegel on CNNFN last week. "[W]hen the news piles on, that's when this trust gets destroyed." As if on cue, the trade publication *Wireless Week* reported that industry CEOs feared they were "falling victim to overreaction by analysts, investors and ratings agencies in response to larger, and often unrelated, concerns." And these days newspapers are full of headlines like this one in the June 26 *Los Angeles Times*: "ECONOMY: MOOD HURT BY ACCOUNTING SCANDALS, JOB WORRIES."

But these pessimistic predictions may turn out to be only partly true. Yes, the recent spate of scandals will likely spark further bankruptcies, and, yes, that may hurt the economy in the short term. But like WCG, many of the companies that will go under probably have no real economic rationale for existing anyway—that is, actual profits or reasonable prospects for future profitability. Because such companies suck up capital that might otherwise flow to more productive endeavors, they create a long-term drag on the economy; it's only once they fall by the wayside that the economy can resume something resembling robust growth. If the latest revelations accelerate that process, something good may come from them after all.

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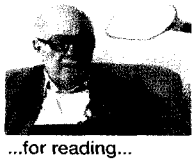

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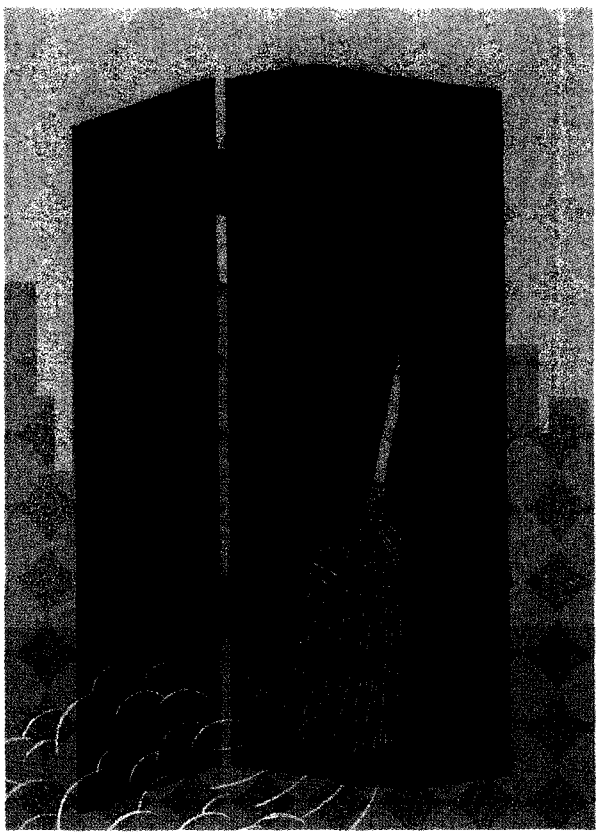
As *Washington Post* columnist Robert J. Samuelson pointed out in a recent column, shoddy ethics are only the proximate cause of the accounting scandals. The real cause is shoddy economics. In the late '90s investors and creditors dumped bushels of money into companies with big plans to exploit regulatory changes and new technologies. The 1996 Telecommunications Act opened local telephone markets to competition; energy deregulation allowed pipeline companies to reinvent themselves as traders; exponential increases in Internet traffic created opportunities for companies like WCG to profit from the infrastructure that would carry it; and the World Wide Web gave rise to thousands of companies seeking to exploit e-commerce. With all this going on—and Federal Reserve Chairman Alan Greenspan determined not to spoil the party by raising interest rates—it's no surprise thousands of new firms raised so much capital for their ventures.



But despite some very real opportunities, all the new firms couldn't possibly survive. It would be years before there were enough customers to sustain all the new fiber-optic cable, long-distance telephone service, energy trading floors, and Internet pet stores that companies were furiously creating. In the meantime, the combination of so many firms and disappointingly few customers was driving prices through the floor—and with them, hopes of profitability. We now know that executives at companies like Enron and WorldCom—and surely many others—recognized the inexorable logic of this equation years ago and responded by making up profits that didn't exist. Meanwhile, those who either refused or neglected to follow a similar path began going under in 2000, once investors realized that paying inflated prices for shares of unprofitable, debt-ridden companies didn't sound like such a bargain after all. After proliferating in the late '90s, more than 200 dot-coms failed. Over 500 more followed suit in 2001—including such can't-lose propositions as the Internet toy-selling pioneer eToys and the online grocer Webvan.

For all the pain the failure of these companies inflicted, it was undoubtedly necessary. The only way an economy can right itself in the aftermath of a bubble is when all the money and manpower that had been deployed inefficiently—which is to say, wrapped up in companies or other assets that weren't profitable and had little hope of becoming profitable—gets redeployed to more promising investments. On the eve of the 1990-91 recession, for example, U.S. banks found themselves stuck with billions of dollars' worth of bad loans, mostly on commercial real estate that had been bought at wildly inflated prices and which was suddenly worthless. Had banks kept floating money to developers who insisted they would one day make a profit (from office space, malls, etc.), it would have tied up capital that could have been—and ultimately was (albeit after a government bailout)—much more profitably invested elsewhere. It could very well have undermined the healthy economic growth of the mid-'90s.

The problem this time around was that the liquidation cycle never completely ran its course. Today, for example, the bulk of the telecom industry's infrastructure is still in place. This is partly because dozens of uncompetitive and otherwise doomed firms have so far avoided bankruptcy. And it's partly because even among the 60-odd telecom companies that *have* declared bankruptcy since early 2001, many are still serving customers, thanks to the indulgence of their creditors. "[Bankruptcy alone] doesn't physically remove capacity from the marketplace," complains Crédit Lyonnais telecom analyst Gabriel Lowy. "Even Enron's fiber-optic network still hasn't been decommissioned." Worse, many of the companies that surrendered to last year's telecom shakeout are now emerging from bankruptcy proceedings with new lines of credit.

One of the reasons for this stillborn liquidation process is the aggressiveness with which the Fed cut interest rates last year. In 1990 the Fed didn't really begin lowering rates until the recession began, and even then it did so exceedingly slowly. Though the federal funds rate, the key short-term interest rate, ultimately bottomed out at 3 percent in 1992, it was five months into the recession before it had fallen a single percentage point, from 8.25 to 7.25. This time around, the overall drop in the fed funds rate was comparable—from 6.5 to 1.75—but it occurred in less than one year. And the Fed had cut interest rates a full percentage point one month before the recession even began.

The Fed's behavior was by and large defensible. If not for the aggressive lowering of interest rates, the spending on housing and consumer goods that kept the economy out of a deep recession could have collapsed. But lowering interest rates so aggressively isn't costless: Low interest rates make it easier for unprofitable businesses to stick around by amassing more and more debt. And the longer these companies do so, the longer it delays an economic recovery. The most common refrain among economists these days is that a healthy recovery hinges on businesses resuming investments in cap-

NICK DEWAR

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ital equipment—investments that drove economic growth in the late '90s and that have been flat or declining for the last year and a half. "I sound like a broken record, but the question is, 'When does investment pick up?'" says Ohio State University economist Stephen Cecchetti. The problem is that many of the same sectors that drove the investment boom in the '90s are the ones suffering from overcapacity and falling prices today. The only way these companies can begin investing again is if they become profitable again—and that will only happen once weaker competitors go out of business, excess capacity is scrapped, and prices for products and services start rising.

To see what happens when uncompetitive companies are permitted to stay afloat too long, one need look no further than Japan's experience over the last decade. Following the 1989–90 popping of Japan's real estate and stock market bubbles, the de facto policy of the Japanese government was to prop up businesses whose failure would cause massive unemployment and dislocation. According to Jim Grant, editor of *Grant's Interest Rate Observer* and a close watcher of Japanese finance, Japanese economic officials "implored and cajoled and bullied the complicit bankers into prolonging the sick lives of such [major] retailers as Sogo and Mycal." Thanks largely to this policy of not allowing banks to foreclose on bad loans, Japan has endured anemic growth over the past decade, with three recessions and unprecedented unemployment. "The intention was humane," says Grant, "but the outcome has been very costly."

Of course, there are important differences between the United States and Japan. Unlike the Japanese bubbles, ours was most pronounced in technology sectors—and it's much easier to "decommission" excess computers and fiber-optic cable than excess office buildings. Likewise, after Japan's bubbles burst, Japanese banks found themselves holding the majority of the bad loans that had funded all the ill-advised investments. Had they liquidated them all at once, it could have brought down the entire financial system and led to the sort of deflationary crisis that spawned the Great Depression. By contrast, the bad debt from America's technology boom is fairly widely dispersed, meaning everyone stands to lose a little but no one creditor will be wiped out. "This stuff was in investment funds, hedge funds, pension funds—we're not going to get defaults," says Cecchetti. But most importantly, unlike the Japanese, we don't make it a policy to bail out companies and industries long after their economic prospects have dimmed. That unprofitable U.S. companies will ultimately fail usually isn't a matter of if but when.

INDEED, FOR MANY months last year it appeared this process was happening right on schedule. Though the Fed had cut interest rates, most companies faced much higher effective prices for capital. (The Fed only sets the interest rate at which it loans money to banks and at which banks loan money to one another. The private-credit market determines the interest rates businesses actually face.) But by this spring that had begun to change, thanks to optimism that the economy was bouncing back much more quickly than expected. In April interest rates on short-term loans to businesses—so-called commercial paper—had fallen to fairly affordable levels even for risky borrowers, which allowed many marginal companies to keep themselves afloat despite flat revenue and a lack of profits. Even the rate for speculative grade, longer-term bonds (aka "junk bonds") was lower than it had been the previous August.

But that all changed in late June, when word of WorldCom's impending profit restatement began percolating on Wall Street. In three days the spread on investment-grade bonds—that is, the difference between the interest rates less-risky businesses pay and the interest rates the government pays on similar bonds—jumped about 0.15 percentage points, something that hadn't happened since Enron rattled bond markets in February. Around the same time the spread on junk bonds jumped to 7.75 percentage points, a place it hadn't been since last year. And on June 26, the day after word of WorldCom's shenanigans first surfaced in the financial press, the junk bond market staged its worst showing ever (the market dates back to the mid-'80s), shedding 4 percent of its value. "I got an e-mail from one of our sales people," recalls Marty Fridson, chief high-yield strategist at Merrill Lynch. "He wrote, 'Here's how much our bonds are down.' I e-mailed back, 'Over what period of time? A month? A year?' He said, 'No. This morning.'"

THE ECONOMIC EFFECTS of that squeeze were not hard to discern. Telecom workers accounted for more than 30,000 of the 95,000 layoffs in June, with most of the 30,000 coming after the WorldCom scandal broke. More layoffs—possibly from battered telecommunications-equipment manufacturers—are sure to follow. Perhaps more significantly, the swoon added fuel to speculation that large telecom companies like Denver-based Qwest Communications—already straining under the weight of $27 billion in debt and Securities and Exchange Commission investigation—would fail to reach agreements with their creditors to keep themselves from defaulting. "A lot of people are going to throw in the towel on telecom," James Kenny, head of corporate bond trading at Bear Stearns, told *The Wall Street Journal* after sizing up the bond market developments.

Many market observers have since argued that this was a gross overreaction to the sins of one company. But the more you break down that overreaction, the more reasonable it looks. As Fridson notes, the carnage was almost entirely confined to the economy's lingering bubble sectors: telecom, cable, technology, and utilities. The bonds of most other industries actually appreciated that day. And after a few days the bond markets were discriminating among companies even within the problematic sectors. "Within [telecom bonds] there are differences between those companies that remain heavily indebted, such as France Telecom and Deutsche Telekom, and others that do not face such pressure on their credit ratings," *The Financial Times* reported on June 28. In the end, creditors' response to the WorldCom scandal seems less an irrational overreaction than a surprisingly rational reassessment of the considerable weakness that still exists in many troubled sectors of the economy. Once upon a time that was considered evidence of a well-functioning market. ■

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Stanley Kauffmann on Films

Spielberg's Future

SCIENCE IS FREQUENTLY the lesser part of science fiction. Contemporary science is the launchpad for extrapolations, but the whole enterprise is usually wrought as a means to comment on society or politics or human nature or human destiny. H. G. Wells said that he wrote *The Time Machine* as a "fantasy based on the idea of the human species developing about divergent lines," and when he discussed the novel with Theodore Roosevelt in the White House the president didn't talk about the devices of time travel, he concentrated on the Wellsian concept of future society. Examples proliferate: Bradbury's *Fahrenheit 451*, Clarke's *Childhood's End*, and Pohl-Kornbluth's *The Space Merchants* are only three more of the numberless instances that have made science fiction less a prediction of science to come than a genre of satire or doom or tantalizing hope.

Here, to support this view, is **Minority Report** (DreamWorks and 20th Century Fox). (What a quaint old-timey sound that company's name is getting.) Steven Spielberg made it—from a screenplay by Scott Frank and Jon Cohen based on a Philip K. Dick story (unread by me)—and Spielberg was more interested in the theme of the piece than the science. He deals dashingly with the plentiful scientific gadgets in the story, but, as in his last film, *A.I.: Artificial Intelligence*, which also was science fiction, the gadgets are the route to the gist.

The place is Washington, the year 2054. Except for the automobiles and some additional skyscrapers, the place doesn't look greatly different. The story centers on a new government bureau, the Department of Precrime, which operates only in the city but is intended to become national. It has a corps of cops—individually airborne via special backpacks—who are alerted to a murder that is about to be committed, and then speed to the scene to keep it from happening. The homicide rate in D.C. has plummeted.

Since this idea prompted the film, let us examine it before we look at the film itself. The concept of crime prevention is not new and of course it is, in the abstract, desirable. How often we read of murders that were committed by people who had been suspect for various reasons yet were set loose by authorities. How often the murderers are mental cases inadequately diagnosed and then released. But aren't there legal and other reasons to question this pre-crime procedure? For prime instance, such procedure is closely akin to action under a bill of attainder, legislation that permits the imprisonment of a suspect without a trial, a kind of law that is prohibited under the Constitution. This film's new bureau has presumably filled prisons with people who have not actually committed crimes. Such a procedure raises profound conflicts between authoritarianism and the "practical" ethics of saving lives. But these questions are hardly hinted at in the film. The only conflicts are rivalries between government groups who want to control pre-crime activities.

The film shows us the method by which the cops get their pre-crime tip-offs. Three people, conditioned by drugs and other means, float in a tank in the bureau's headquarters, inanimate. They are called "precogs"—pre-cognitives—and they are able somehow to receive messages about murder plans in people's minds. The messages are read in police headquarters by electronic means, and the cops speed off through the air to forestall the crimes.

Even in the currency of science fiction, the fragility of this device, its sheer silliness as the basis of an entire government bureau, does considerable harm to *Minority Report*. The film's protagonist, the chief pre-crime cop, has joined the force out of deep emotional motives; but the chance to believe in his feelings is vitiated by the hokiness of the procedures in which he has sought solace.

That protagonist, played by Tom Cruise, is named Anderton, a man whose six-year-old son was kidnapped and presumably murdered a few years back and who now devotes his life to preventing murder. After we see him forestall a double killing, he gets tangled in a revelation that predicts a murder committed by himself. (The film's title refers to a secret document that may liberate him from this fate.) Cruise's performance fits the film precisely. In a story full of plot and technical devices that produce effects as needed, Cruise produces tones and facial expressions as needed. No truly realized man exists within them. Admittedly, Cruise is strapped to a set of arbitrary actions that bully our belief. The script simply hustles him from one Big Scene to another, and he does his best to fill the moment with the prescribed ingredients. We can be thankful that he has diminished the number of his trademark smiles: still, his performance seems as tacked together as the screenplay.

How did Anderton find the hothouse in which an elderly woman is puttering, a woman who is a retired scientist and who explains matters to him—and to us? (The woman is magisterially played by Lois Smith.) How did Anderton find the surgeon who changes his eyes so that he has a new retinal identity? These Big Scenes and others are administered like doses of tonic to keep our interest warm. (Note: since there are no love scenes in the film, Spielberg apparently thought it necessary to affirm Cruise's sexiness by having Smith kiss him on the mouth and by having the surgeon's buxom assistant grab his ass.) One of those doses seems misplaced—a fierce fistfight between Anderton and a competitive FBI agent. That fight occurs fairly early and renders some of what follows post-climactic.

The highways and freeways, the interiors of offices and factories and laboratories, are futuristic projections. The production designer was Alex McDowell, who, I'm sure, collaborated closely with Spielberg. Whoever, singular or plural, was responsible, the designs of places and devices are ingenious: they deserve a place in the roster of futures in sci-fi films. One of the first futuristic films that I remember, *Things to Come* (1936), based on a Wells novel, led to a long series of designers' futures that are sometimes more interesting than what happens in them. I wonder why, in the long series of books that look at the history of film from various angles, there has not been a picture book of these futures. McDowell ranks high, and his work is treated sensitively by the distinguished cinematographer Janusz Kaminski, who keeps his palette restrained. A bow, too, to John Williams, whose music, leaning just a bit on Schubert and Tchaikovsky, supports or italicizes the action.

Last but, in essence, first, Spielberg himself. Throughout the film he shows his typical cinematic verve—for instance, the opening montage that is sheer legerdemain or the faintly humorous yet grim way in which the flying cops are

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handled. But *Minority Report* makes me hope Spielberg hasn't caught Kubrickitis. *A.I.*, which was his completion of a Kubrick idea, had all the benchmarks of latter-day minor Kubrick: cinematic and technical dazzle as the real stars, with people as supporting cast. Spielberg's earlier science fiction, *Close Encounters of the Third Kind* and *E.T.*, glowed with humanistic concern (especially the first, which seems to me an updating of Henry Adams's "The Dynamo and the Virgin"). *A.I.* was Kubrickian in its monastic quasi-seclusion within the studio and lab, and *Minority Report* has more than a whiff of that aroma. The pioneering British film-maker John Grierson once said that when good directors die, they become cinematographers. That was long ago: now those directors become technological wizards. Spielberg certainly has the wizardry, but that is not all he has. He can deal with human subjects that are richer and more rewarding than the ones in this long but thematically slender screenplay. I hope that he is not now immured in his film-making skills. ■

Why a little fancy speaking wouldn't kill us.

Eloquence in the Age of the Osbournes

By SIMON SCHAMA

I WAS TOLD at a very early age by my father that, however I had come by it, I had what in Britain was called the "gift of the gab." He had it himself in abundant measure, having done his time as a soapbox orator in Hyde Park and the East End of London in the 1930s, where he carried on talking and talking as Oswald Mosley's fascist blackshirts pelted him with rotten eggs and the occasional rock. "A Jew's ultimate weapon is his mouth," my father insisted, though my mother added that the ultimate weapon was, just occasionally, and of course temporarily, disarmed by its collision with a large, hairy fascist fist.

It seemed that I was bound to be conscripted into the militia of the mouth, especially when I made the mistake of asking my father what the faded white letters "PJ" painted on the local railway bridge stood for, and got the reply "Perish Judah," a slogan at once quaintly biblical and perennially sinister. I was about eight when I began to be drilled in the boot camp of public rhetoric, beginning with a trip to the theater to see Richard Burton play Henry V. Though there were no Harfleurs in our neck of London to attack, a few weeks later there I was, in gray flannel short trousers, perched perilously on a chair in our living room waving a broom handle around and lustily urging the troops to hurl themselves against the breach "or fill the walls up with our English dead."

When this was recited at our elementary school concert, between items understandably thought more suitable, or at least less bloodthirsty, for eight-year-olds, the reaction when I finished was one of stunned silence broken by furious applause from my actor-manager father. I responded to the embarrassment by hitting him where I knew it would hurt most. I went on speech strike, going Trappist for about five months, remaining defiantly taciturn through a procession of speech therapists and psychotherapists, verbalizing only to the gardener and swearing him to silence.

There are those who will say that I have not shut up since. But this precocious sense of being afflicted with a pretty incurable case of logorrhea has actually left me with mixed feelings about the condition. On the one hand, it is hard not to relish the exhilaration of doing one's thing as a language animal. "Nothing is so akin to our natural feelings as the rhythms and sounds of voices," says Cicero in *De Oratore*. "They rouse and inflame us, calm us and soothe us and often lead us to joy and sadness." "SPEECH! Speech!" wrote one of the greatest of all its American practitioners, Frederick Douglass, as he reflected that he himself had been virtually reborn, and certainly emancipated, by means of his own dawning self-consciousness of being a natural orator. Indeed, he went on to revolutionize public diction, "the live, calm, grave, clear, pointed, warm, sweet, melodious human voice ... humanity, justice, liberty demand the service of the living voice."

Yet it is precisely those for whom eloquence at the service of truth is an indispensable condition of a free society who are most likely to fret at its apparent atrophy. The eloquent, of course, have been complaining about this at least since Quintilian in the second century C.E. Rhetoric that was both beautiful and virtuous, they lamented, was degenerating into self-serving demagoguery, florid ornamentalism, or the stumblings and mumblings of the inarticulate—into Osbournes in togas. All of this heralded, in the most pessimistic view, the onset of a kind of slavery: the captivity of the powers of speech by the forces of diction-management. Listen to a culture flooded by platitude or vastly amused by grunts of dopey incoherence, they would say, and you will hear the muffled bleating of the doomed.

ARE WE OURSELVES in that peril? Are we a culture going down in cacophonic sound and fury but signifying not a whole lot? Can Eminem (or a gangsta rapper) get away with what he gets away with because the barked violence and shouted brutality mock and deafen any kind of response? Are we (as distinct from the licensed manufacturers of presidential rhetoric) even able—especially in a moment of danger—to articulate to ourselves, to the nation, and to the world just what it is that is worth arguing over and fighting for? Is the designed discontinuity of contemporary life—the indispensability of programmed obsolescence; the tyranny of fashion turnover; the machinery of the market; the obsession with speed (faster, computer, faster), and with instant gratification over quality (I want that cheeseburger and I want it now!), and with the disposable over the durable; the strobe-lit subliminally registered broken-faceted reception of sensation—is all this hopelessly incompatible with the voiced thoughtfulness that we need if we are to figure out what it is exactly that holds us together against terror? If we can articulate the meaning of calamity only through the waving of flags and the

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choruses of "God Bless America," does this mean that tragedy has a short shelf life? Would it have been better for all Americans—would all Americans have been made finer citizens—if they had been required to take not expository writing but expository speaking?

The founders of Phi Beta Kappa thought so. For the society was established as a community of spoken thought and debate, for the express purpose of sustaining classical scholarly values inside the academy and, more urgently, outside the academy. An American scholar, it optimistically supposed, was someone for whom the pursuit of knowledge was conditional not on escape from the contamination of the public world, but on active engagement with it. Browse the forbidding pages of the published Phi Beta Kappa orations and you will step into an ongoing Platonic symposium on civic virtue.

Now this kind of wisdom does not, of course, come in sound bites. A roughly calculated average running time for those orations was, I would say, an hour and a half. Of course, those nineteenth-century students were treated quite often to really scintillating opening exordia. Try this zinger from Harvard's best, President Charles Eliot, in 1888: "I purpose to examine some parts of the experience of the American democracy with the intention of suggesting the answers to certain theoretical objections which have been urged against democracy in general and of showing in part what makes the strength of the democratic form of government...." It cannot be that we must choose between the Osbournes and *this*.

ELIOT'S TURGID EARNESTNESS was actually out of character with Harvard's traditions, which perhaps more than anywhere else in the young republic personified the truism that, as John Quincy Adams, the first Boylston Professor of Rhetoric and Oratory, put it, "eloquence is power." Adams believed that the young republic was in a historical state of political grace—something that he could dream about in post-revolutionary eastern Massachusetts—akin to fifth-century Athens or the halcyon years of the Roman republic. In this empyrean of cultivated citizenship, voices that allied rhetoric to virtue could prevail over faction and brute force. "Where Prejudice [has] not acquired an uncontrolled ascendancy," he wrote, "the voice of eloquence will not be heard in vain."

Like most of his generation of Harvard graduates, Adams had been trained in rhetoric through the works of Hugh Blair and the eighteenth-century Scotsman Lord Karnes, but his own manual for modern orators turned away from the belletristic manner and back to what he thought of as a neo-Ciceronian flinty vernacular. This was a democratic diction elastically designed to plead before the courts or to sway a crowd. The tragedy of Adams's life was that although he was nicknamed "Old Man Eloquent," and although he looked as though you could set his bust alongside the marble heads of Demosthenes and Cato the Elder, and although his speaking style was with "kindled eyes and tremulous frame," the organ itself was apparently shrill and piercing—so that in an age of the honey-smooth oratory of John Calhoun, Adams's presidential speeches, which sounded fine when he rehearsed them before the Cabinet, his farewell speech to Lafayette or his panegyric to the Erie Canal, seemed barked at, rather than voiced to, the public.

As a president who stood accused of getting the office by the back door, moreover, John Quincy Adams was a perfect target for the oncoming Andrew Jackson, who made an issue precisely of Adams's high-pitched classical diction, targeting it with his own populist anti-highfalutin hickory-military vernacular. A century and more before the equally glistening dome of Adlai Stevenson (the spiritual descendant of Adams) was attacked as eggheadedly un-American by another no-nonsense ex-general, Dwight Eisenhower, Adams suffered from seeing what he had always imagined to be the virtues of the detached, incorruptible proconsul stood on their head as symptoms of effete loftiness.

Adams received his faith in the persuasive power of eloquence directly from his father John, who would drill him in Cicero and Pericles walking the farm tracks at Quincy or the canal footpaths in revolutionary Amsterdam. And John Adams, as lawyer, schoolmaster, and politician, felt himself to be the guardian of a long tradition of inspirational rhetoric that went all the way back to the Calvinist sermons of Thomas Hooker and the Great Awakening performances of Jonathan Edwards. The power of that charismatic preaching was owed to the faith that eloquence escaped the charge of egotism insofar as the mouth that was its instrument was merely a sounding board for the word of God. (Moses, of course, had been a stammerer before that word had touched him.) Likewise, the Great Awakeners were no more than the organ of some higher natural truth.

For John Adams's generation, which came of age in the Boston of the 1760s, prophecy and politics became fused. It was not so much injustice that they saw in British policy as iniquity. In the unlikely figure of James Otis, and in the even unlikelier cause of writs of assistance (the legal warrants that the British used to search for contraband), Adams thought in 1761 that he heard and saw a vision of civic virtue re-born. Otis, who was advocate general for the colonial government of Massachusetts, had resigned to represent Boston merchants in court. He was thirty-six, his style of speech as he argued against the writs before the heavily wigged and robed justices was "quick and elastic," "his apprehension [was] as quick as his temper." For Adams, his was the voice of the natural American, the lost voice of Ciceronian virtue. The fact that Otis's "passions were painted in his face" seemed to correspond precisely to Quintilian's doctrine that the speaker must feel emotionally the truth of what he utters if he is to persuade his listeners. Had Otis worn a virtuously disheveled toga he could not have won Adams over more completely.

ALL THE GREAT orators of the revolutionary age—Samuel Adams in Massachusetts, Patrick Henry in Virginia—and the first great rhetorician of the post-revolutionary House of Representatives, the now-forgotten Fisher Ames, said to be the most silver-tongued of all, were famous for their controlled flamboyance; the calculation of a manner that was said to be "natural" or "easy" but which managed to achieve often outrageous theatricality without being accused of affectation. They were hams—think of the invisible dagger that Patrick Henry plunged over and again into his breast—but they were hams for liberty.

Winning "hearts and minds," as Adams claimed had been the revolutionary case, was not just the victory of liberty over imperial coercion. It was also the vindication, as he and Jefferson believed, of classical republican rhetoric over brute military muscle. The critical role played by French military power—inconveniently the product of a self-interested Catholic despotism—was underplayed in favor of the legend of the mass mobilization of the people through the sonorities of virtue. And the highly vocal Founding Fathers believed that they were redeeming, among other things, the tradition of Greco-Roman eloquence itself, which in Britain had degenerated into ornamental disingenuousness. Latter-day Ciceros such as Edmund Burke—significantly Irish, not English—had attempted to stop the rot; but still public diction had decayed into luxury. For the austerely civic Americans, by contrast, the severity and the integrity of language was a necessity, their first line of defense.

An entire generation thought of themselves as "Massacre" orators after the Boston Massacre, in which an accident was transformed by indignant oratory into an

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emblematic confrontation between innocence and occupation. For this generation, American eloquence worked because it so obviously exemplified Quintilian's and Cicero's definition of an orator as a good man who speaks well. They also subscribed to the Aristotelian assumption that the power of rhetoric was in inverse relationship to the self-sufficiency of brute force. Where that force was coercive, mouths and ears were shut. Sparta was taciturn, Athens was eloquent. The ideal Athenian leader was Pericles, the hero who spoke beautiful and impassioned truths.

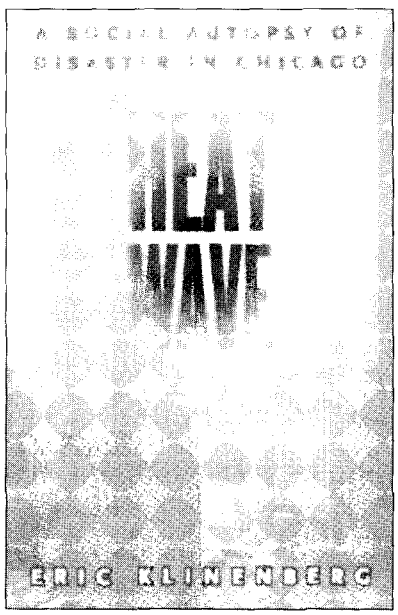
But the American descendants of these noble Greeks also cherished this tradition for another reason. They believed that the power of eloquence presupposed the freedom to be persuaded, to be reasoned with, to be moved. Cicero's natural theater was the Senate in Rome, in which those of like mind would literally stand together, and the job of the orator was, equally literally, to move them to a different position. A vote was, of course, a voice. For Cicero, for the Adamses, for Jefferson, and of course for the Lincoln of the Lincoln-Douglas debates, a republic that took the arts of persuasion seriously was not just a free state but one that could contain difference of belief without resort to mutual extermination. The opposite of this humanely pluralist eloquence is a political order authorized by fiat or revelation and executed through coercion. Terror is, in every sense, dumb.

IF THE PRESERVATION of a public life tolerant of difference is one reason why we should cherish eloquence, the second reason, the logical outcome of the first and scarcely less important, is that it reconstitutes community without sacrificing liberty. If the founding fathers of American public speech, the Otises and the Henrys, were concerned in the first instance to use it to differentiate a free society from a tyrannized one, their heirs in the nineteenth century worried about the republic falling apart, either in fratricidal division or into a mere aggregate of dispersed and mutually conflicting interests. And so the great moments of nineteenth-century public eloquence are when orators believed—and made their listeners believe—that for the duration of their discourse, using all the tools that Isocrates, Demosthenes, Cicero, and Quintilian had given them, they could reconstitute a mere crowd, a gathering of individuals, into a community; and that that supra-individualist cohesion would then survive their dispersal.

This conviction in the binding and unifying power of public language is what converted individual abolitionists into a shoulder-to-shoulder crusade; and Frederick Douglass, who had learned some of his rhetorical magic from them and from his own reading and practicing, took this faith in elevating language on his travels, not least to Britain in 1845–1847, where in Cork, Belfast, Dundee, and London he tried to persuade his listeners that they were part of an indivisible movement to extirpate an abomination from the face of the earth. The most sublimely enduring speech that took as its mission the attempt to remake national community over the partially buried bodies of those who had died for it was, of course, the Gettysburg Address. Lincoln's two-minute speech had been preceded by Edward Everett's two-hour performance. (It had been Everett, not Lincoln, who was the star attraction of the event in Gettysburg, and for whom the event had been postponed from October 23 to November 19 in order to give the Harvard president and ex-secretary of state adequate time to prepare.) Doomed to be remembered as Lincoln's interminable warm-up act, Everett's address at Gettysburg—a recitation of the narrative of the battle, followed by an appeal for eventual reconciliation—is in its way not half bad.

One of the great—and now completely forgotten—moments when eloquence was summoned to mobilize national community took place at the Phi Beta Kappa Alpha chapter of Harvard almost exactly one hundred forty years ago. George William Curtis, a journalist for *Harper's*, delivered the oration on July 17, 1862—a speech that we know was repeated at least forty times around New England that sad autumn. Curtis's aim was to insist on the indivisibility of liberty and equality; to take away from the seceding states their claim to the rhetoric of freedom, which he characterized as fraudulent since it was inseparable from the preservation of slavery; and to restore that rhetoric to true American nationality, an inclusive nationality based on the assumption of a common humanity. To be American was to celebrate this. And if this had never before been achieved, the enterprise only grew in significance.

"The achievement of all other nations should be only wings to American feet that they may hasten to heights that Greeks and Romans, that Englishmen and Frenchmen and Germans never trod," Curtis declared. "Were they wise? Let us be wiser. Were they noble? Let us be nobler. Were they just? Let us be juster. Were they free? Let our very air be freedom.... Let those who will, despair of that perfect liberty with which God made us all free. But let us now, here, in the solemn moments which are deciding if there is to be a distinctive America, resolve that even were the American system to fade



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from history, the American principle should survive immortal in our heart...." Freedom, Curtis insisted, was the natural right of all men, not of some men—and he came out swinging against discrimination on grounds of sex as well as race. "We will never again forget, God help us," he ended, "that the cause of the United States is the cause of human nature, and the permanent life of the nation is the liberty of *all* its children."

NOW IF THIS speech and its orator have been relegated to the realm of the unremarkable, perhaps it is just because for the generations for whom eloquence was power, rhetoric of this degree of truth and power was actually unremarkable; or at least those who could practice it were, if not exactly two a penny, then thick on the ground. Can we say this of our own time? Is even the question absurd, when the "arts of communication" (and God knows there are abundant seminars going by that name) presuppose the shortest of attention spans? Go to the library and look under "elocution" or "oratory" and you will be led to the Miss Havisham of the public arts: tome after tome gathering dust, abandoned relics of a time when the mastery of rhetoric was not just a sign of the educated citizen, but also the ladder of true social mobility. If you want to learn the arts of persuasion now, you go not to Cicero and Quintilian but to business school, where you can pick up the latest manuals of managerial thinking and the most effective techniques of negative advertising. This is *our* art of rhetoric.

Some of the greatest rhetoricians of the twentieth century prophetically foresaw this decline of public language. In 1912, Theodore Roosevelt—still mysteriously regarded as an exemplary Republican—waxed eloquent on the need, above all, to outlaw corporate money donated to political campaigns (as well as the critical need to regulate the accounting practices of big business and to use state power to conserve the environment). It was the management of persuasion in the interests of corporations that struck Roosevelt as most ominous for the fate of democracy. Implicit in his anxieties was the premonition of a synthetic eloquence: not the mobilization of an active and participatory citizenship, but the manipulation of its opposite, its expedient abdication to professional opinion-formers.

There is nothing wicked, of course, about professional speechwriters. The Greeks had *rhetores* who, for a fee, produced speeches for public orators. Andrew Jackson's best stuff was written by Chief Justice Roger Taney. And Samuel Rosenmann turned out imperishable prose for Franklin Roosevelt. But there is a difference, I think, between the collaboration of, say, Seward and Lincoln on drafts of his speeches and the industrial fabrication of purpose-designed speeches, produced by West Wing Nibelungen toiling in the mines of rhetorical gold. Ronald Reagan needed eight full-time writers and a complete staff of fourteen to make him function as the Great Communicator.

If we were to take a contemporary check on Cicero's famous five constituents of oratory, what would we find? An *inventio*—the main idea dreamed up and carefully monitored by the staff; a *dispositio*—the arrangement, tailor-made for television and punctuated by gestures to "real life" heroes inserted into the gallery; a *memoria*—supplied by the invisible teleprompter; an *actio*—the oxymoronic down-home gravitas ("Let's roll!"), studded with reassuring simplicities; and finally an *elocutio*—delivery, finely judged to reassure the audience that the incumbent can complete sentences, but equally finely judged to make those complete sentences short and untaxing. "I want four-letter words," Lyndon Johnson demanded of Richard Goodwin, "and paragraphs of four sentences long."

I do not mean to castigate Dubya for being insufficiently Latinate. That is not precisely his verbal sin. His ineloquence is more than an aesthetic shortcoming. If we must cherish eloquence because its survival is the condition of both a free society and a coherent community, then we must also make eloquence speak to its time, and hot-wire it to contemporary diction. We need a public discourse that lies somewhere between Demosthenes and Ozzy Osbourne. We need to exchange the patina of eloquence for its rougher, stronger substance; to junk the required number of homilies for the provocation of tough choices earned through hard thought. Rougher and tougher should not mean banal and inarticulate. Ordinary Americans in our own day must be roused by language to reason. In times of danger especially, we require an eloquence that will not lull us to sleep but keep us, and even our early-to-bed president, up late into the night. ■

Teen Angels

By MARGARET TALBOT

The Birth of Pleasure by Carol Gilligan

(Alfred A. Knopf, 256 pp., $24)

I.

THINKING OF Carol Gilligan's work as social science has always been a bit of a stretch, but that is how it has generally been received by critics and adepts alike: as a body of psychological research supporting certain controversial hypotheses about the differences between men and women, probably the most influential such hypotheses of the last twenty-five years. Gilligan's famous contention is that girls and women are possessed of a distinctive morality more attuned to maintaining relationships and caring for others than to arguing for justice and equity. This generalization has often been taken as the product of stringent empirical research. So has Gilligan's idea that plucky and confident girls wilt into diffidence on the cusp of adolescence.

Gilligan has always had it both ways. The fact that her writing in *In a Different Voice* and *Between Voice and Silence* was fervent, oracular, tremulous with concern about the fate of girls in a patriarchal culture, and laden with literary examples helped to popularize her work and to confer upon her the status of an American sage; and the fact that she was a psychologist and a Harvard professor who conducted interviews with real girls gave her work the imprimatur of science, even when most of her scholarship was anecdotal, or inclined to what seemed like foregone conclusions. Gilligan has a way of making her readers, especially her female readers, feel at once good and smart, virtuous and rigorous.

Her notion of a feminine morality—more solicitous of feelings than consistent with principles—is, of course, an old one. It is the idea that informed the Victorian conception of separate spheres, of the angel in the house gently shaping an insular dominion that was the very opposite of the striving and impersonal world beyond its walls. Gilligan's teaching is in many ways reactionary, which also helps to

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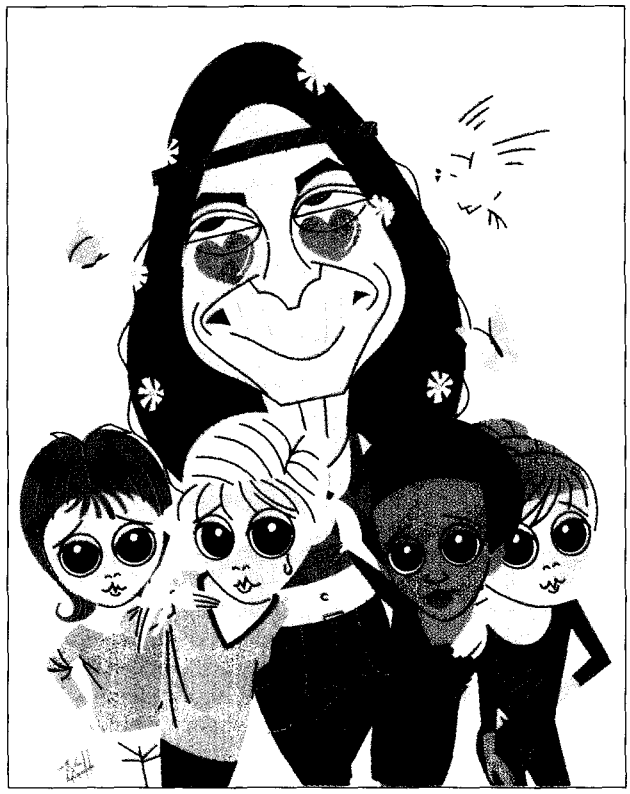
account for its extraordinary success. She plays on an intellectual ambiguity at the heart of modern feminism. Feminism was born of abstract principles—namely, the argument that the rights of man should, in the name of fairness, be extended to women; but all this complicated and strenuous arguing from ideas did not prevent one element of the female suffrage movement from satisfying itself with the platitude that women were morally different and morally better. Women, according to this latter line of thought, should be given suffrage so that they could bring their superior moral sensibilities to bear on public matters, cleansing the polis just as they cleaned the home.

This was always a treacherous position, implying as it did that women had to prove their moral virtue in order to participate in a democracy, whereas men had merely to prove their citizenship; but such philosophical shortcomings never dampened its appeal for some people. Which is to say, "difference feminism" has been around since the late nineteenth century. Carol Gilligan's role has been to salvage it for our era, to secure it against the severities of egalitarianism, to make it hip. And so Gilliganism has enjoyed a remarkable run and a wide and easy influence, from women's studies departments and education schools to pop psychology and middle-school girl culture.

Gilliganism came along at a time—the early 1980s—when a sluggish lack of interest in sex differences and their psychological implications was not uncommon in feminist circles. (This was before the advent of evolutionary psychology as the totalizing philosophy du jour.) It offered a convincing rejoinder to theories of moral development, notably those of Lawrence Kohlberg, which seemed to place autonomy at the pinnacle of achievement. It was toasty and affirming, at least for women who recognized themselves in it. Evidently there were many such women. Jane Fonda, for one, was so taken with *In a Different Voice* that she gave $12.5 million to Harvard University in Gilligan's honor, earmarked for a center on the study of how gender affects learning and development. (The penance of the feminist who falls for Ted Turner must be very great.) In 1984, *Ms. Magazine* named Gilligan its woman of the year, lauding her "new appreciation for a previously uncatalogued female sensibility." And in 1996 *Time* identified her as one of "America's twenty-five most influential people." According to *Time*'s editors, *In a Different Voice* had proven that a single book could "change the rules of psychology, change the assumptions of medical research, change the conversation among parents and teachers and developmental professionals about the distinctions between men and women, girls and boys."

Over the last two decades, Gilligan's work has provided the legitimating theory for a large and popular school of thought that took the sloppy romantic arguments about gender difference and the imperilment of girlish psyches even further than Gilligan had taken them. In *Women's Ways of Knowing* (1986), for instance, Mary Belenky, Blythe Clinchy, Nancy Goldberger, and Jill Tarule contended that women not only reasoned through moral dilemmas differently—they reasoned differently, period. Women, unlike men, distrusted debate because it "threatened the dissolution of relationships"; and they seemed to take "naturally to a nonjudgmental stance"; they excelled at subjective and intuitive interpretations, and valued "truth that is personal, particular, and grounded in firsthand experiences." The more womanly they were, the more they suffered under the "tyranny of expectations," which is to say, the common objective standards of schools and workplaces. And so on.



Carol Gilligan by Zach Trenholm for The New Republic

It was a dubious and insulting picture of the female mind. (The notion of the female mind is itself dubious and insulting.) Yet it proved oddly galvanizing for many educators, who relied upon such conceptions in shaping curricula that catered to girls' "ways of knowing" and in helping to create a vogue for single-sex schools. And it left a big mark on the thinking in *How Schools Shortchange Girls*, a heavily publicized report issued by the American Association of University Women in 1992, which endorsed the Gilliganesque contentions that girls were being "silenced" in school and so were facing a catastrophic collapse in self-esteem at adolescence, when boys enjoyed a boon.

Gilligan's other contribution to the culture was to popularize the use of words such as "trauma," "crisis," and "violence" to describe what happens to the normal run of American girls when they reach adolescence. From specific clinical contexts, she and her followers imported five-dollar scientistic words such as "dissociation" to evoke the experiences not of, say, Holocaust survivors, or children in wartime, or victims of horrific abuse, but of the survivors—more precisely, the victims—of American culture, who are just girls, kind of, you know, um, growing up. They talked about silence as oppression. Silence was always a consequence of silencing: where there are victims, there are villains. Teen moods and emotions, including muzzy-headed indignation about the adult world and the overwrought adolescent worldview of I-didn't-ask-to-be-born-ism, were endowed with an overtly political dignity. They represented nothing less than fights for freedom: Lesley Gore meets Theodor Adorno.

It was hard to make out exactly what Gilligan meant at times, but it seemed that in the world that Gilligan and the Gilliganites depicted, free-spirited, barefooted tomboys were forever being crushed beneath the giant thumb of patriarchy, never to raise their pert little heads or their impertinent little questions again. "Adolescence," Gilligan declared, "seemed to pose a crisis of connection for girls coming of age in Western culture." It put them "in danger of losing their voices," and even their "connection with what is commonly taken as reality." Indeed, Gilligan and the writers whom she influenced—such as Mary Pipher, the author of *Reviving Ophelia*, a book much beloved of book clubs that spent nearly three years on the *New York Times* paperback bestseller list—managed to cast an aura of foreboding and high drama over what might seem to be a pretty good time to be a girl in America, Britney Spears and bulimia notwithstanding. "Something dramatic happens to girls in adolescence,"

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Pipher wrote dramatically. "Just as planes and ships might disappear into the Bermuda Triangle, so the selves of girls go down in droves. They crash and burn in a social and developmental Bermuda Triangle." Yuck.

With their intelligence undervalued, their creativity stifled, their self-esteem deep-sixed, girls were washed up at about thirteen. They were literally selfless. Or else they were holding out bravely somehow, nutty but noble "resisters" in their suburban Masadas. Gilligan also identified the method of their resistance. Adolescent girls learned to "dissociate," in the specific language of psychic trauma that Gilligan favored—to split themselves off from their "true" selves. This was the psychic mechanism that allowed them to survive in a patriarchy.

THAT THIS REPRESENTATION of a girl's life in America was accepted at face value, and even eagerly, by so many people was a testament to many things: the long history of unequal treatment of boys and girls; the passion that Gilligan and others brought to their writing on the subject; a certain fairy-tale-like appeal in the image of the poor defenseless girl, a caged nightingale awaiting release by the enlightened. But its popularity owed shockingly little to facts. The facts about the situation of girls in present-day America paint a remarkably different and less desperate picture.

By most measures of success in school, where the trouble supposedly began, girls in America are now doing better than boys. They get higher grades, from elementary school through graduate school; and they receive more academic honors in most fields; and they hold more school offices; and they attend college at higher rates; and they are far less likely to be diagnosed with any of the major learning disabilities. On standardized tests, girls do better in reading and writing, while boys surpass them in math and science, though the differences—except for the female advantage in writing—are small. Teachers tend to expect academic and professional success from girls more than from boys, according to one national survey, and both girls and boys agree that teachers favor girls. There is little empirical data showing that teachers call on or listen to girls less than boys. There is some data showing that much of the attention they do pay boys is "managerial and disciplinary," in the words of one study. There is no data showing a causal relationship between attention from teachers and achievement in school.

In the late 1990s, moreover, several of Gilligan's critics in the academy produced thorough new research that refuted her central claims about sharp gender differences in self-esteem and moral orientation. In 1999, Kristen C. Kling and her colleagues at the University of Wisconsin undertook an analysis of more than two hundred studies on self-esteem, and concluded that there was indeed a gender difference in "global self-esteem" (one's sense of overall worth, as opposed to one's sense of competence in particular areas) that favored males. But they found that this difference was consistently small, and also that it was accompanied by a "striking amount of overlap" between men and women. And they did not see evidence for the theory that adolescent girls suffered a crisis in self-esteem from which they never recovered. "Between the ages of 13 and 32," wrote Kling et al., "self-esteem in both males and females is relatively stable and even shows signs of a gradual increase."

While they did notice that the differences detected were most marked between the ages of fifteen and eighteen—they speculated that this might have something to do with girls' perceptions of their physical attractiveness, which do decline from the fourth to the eleventh grades, while the aesthetic self-esteem of boys remains steady—Kling et al. emphasized that this tendency reversed itself after the bumpy passage through adolescence. "In sum," they modestly observed, "although our data demonstrate that gender differences in self-esteem are related to age, the magnitude of the difference is not as large as the media coverage would suggest, nor is the long-term outlook for female self-esteem so grim. Thus, our data suggests that words such as *plummeting* should not be used when referring to the development of self-esteem in girls." Indeed, warned Kling and her co-authors, there was a danger that the contemporary preoccupation with girls' supposedly inevitable loss of confidence could become a self-fulfilling prophecy.

ONE OF THE researchers on the self-esteem study, Janet Shibley Hyde, went on to produce another analysis, this time of studies on moral reasoning, with her colleague Sara Jaffee. It was an ambitious but tricky task for several reasons, including the fact that Gilligan presents such a sharp contrast between what she describes as the justice orientation to morality and the care orientation to morality, when in real life (and in many studies) the two are difficult to separate. In practice, after all, a sense of justice is seldom a pure or rigid or free-floating principle—the quest for fairness is usually entwined with a sense of obligation toward or concern about other people. Jeremy Bentham was not the only male who ever lived. And the kind of consistency that Gilligan seems to imagine that men and women embody in their moral reasoning, these pure and simple types of ethical temperament, is seldom evident in studies that ask people to solve hypothetical dilemmas, let alone in daily life.

Still, even allowing for the existence of two distinct, coherent, and readily identifiable types of moral reasoning, Hyde and Jaffee found scant evidence for Gilligan's claim that one is used predominantly by males and the other predominantly by females. Though they did observe small gender-related differences in moral reasoning, suggesting that women have a slight preference for the care orientation, these differences were not significant. They noted that boys and girls, when prompted by an interviewer, were equally capable of switching their moral orientation toward a problem, and that the solution they ultimately considered best was not necessarily the first one that they offered. (As the psychologist John Broughton has pointed out, even Gilligan's own interviews show men comfortably shifting into the language of compassion and care—defining morality as "not taking advantage of other people, not hurting them," for example—and women into the language of rights.) To Hyde and Jaffee, the implications for scholarship were clear. Since most males and most females seem to use a mixture of justice and care reasoning, researchers would benefit "from turning their attention away from the study of gender differences in moral orientation and toward a more sophisticated characterization of moral orientation or to questions of how moral orientations develop over time."

It was perhaps inevitable that the girls-in-trouble movement of the 1990s would provoke a backlash: a boys-in-trouble movement that offered a sensible corrective but also trafficked in its own excesses of alarm. Comparatively few people were willing to argue for the extremely unexciting truth, which is that girls fare better in some areas, boys fare better in other areas, and that many of the documented differences are anyway small. Or, to put it another way, that some girls are troubled and some boys are troubled, and that their troubles may take a form intimately related to their gender, but that gender does not make any particular kind of psychic suffering inevitable for all boys or all girls. If feelings were trapped behind the boundaries of sexual identity or completely determined by them, we could hardly understand each other, and literature would be almost impossible, and maybe love would be impossible, too. But the same emotions are found on both sides of every human difference. Emotion is surely one of the great proofs of universalism.

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II.

THE RESEARCH THAT countered Carol Gilligan's claims has done little to diminish her popularity. Research on gender difference is an extraordinarily fraught and polarized enterprise, and messages sent across enemy lines do not often hit home. There is the difference camp and there is the equality camp, and the particular women (and men) who belong to each of them do not seem particularly interested in compromise. (Contra *Women's Ways of Knowing*, these women like debate just fine.) "There is perhaps no field aspiring to be scientific where flagrant personal bias, logic martyred in the cause of supporting a prejudice, and even sentimental rot and drivel have run riot to such an extent as here," Helen Thompson Woolley observed in 1914. Scholarship on gender differences has improved since 1914, but there is still a fair amount of bias and drivel.

More to the point, perhaps, Gilligan's contentions are not provable or disprovable, because they are not anything like science. You may find the particular stories that Gilligan tells about women and men true to life, or you may not. And that is why the greatest strength of Gilligan's new book is its lack of pretensions to social science. It is, unabashedly, an essay—a circular, solipsistic, New Agey essay, based on sometimes elegant and often engaging readings of texts ranging from the Cupid and Psyche myth (the origin of the book's title) to Toni Morrison and Arundhati Roy, as well as on Gilligan's therapeutic practice with couples, her childhood memories of her mother, and her personal observations of adolescent girls and preschool boys. And it reveals Gilligan once and for all as a state-of-the-art 1960s romantic, a hippie really, enamored of spontaneity and authenticity, and entranced especially by the superior knowledge of twelve-year-old girls—an ecstatic and nostalgic worshipper of youth.

We are suffering under the yoke of Western culture, Gilligan believes. That yoke consists largely of tragic stories of love—tragic because they are the products of patriarchy, and they justify male authority squashing true feeling and the democratizing force of love, to which she gives full due here. Realizing that these are "our stories" is the first step to freeing ourselves from them, she believes, and loving as—well, what? Men and women with no sense of tragedy or history? Gilligan cannot really say. Her language is sometimes downright mystical:

> I was searching at the time for a washed-out road. Picking up the voice of pleasure in men's and women's stories about love and also among adolescent girls and young boys, I came to the places where this voice drops off and a tragic story takes over. The tragic story where love leads to loss and pleasure is associated with death was repeated over and over again, in operas, folk songs, the blues, and novels. We were in love with the tragic story of love. It was "our story." If we have a map showing where pleasure is buried, where the seeds of tragedy are planted, then an order of living that over the millennia has seemed natural or inevitable opens to our inspection and becomes a road taken where we could follow another. Piecing together an ancient love story with the findings of contemporary research, I found myself led into the heart of a mystery and then to a new mapping of love.

Yes, yes, a lot of great literature is about women who are punished for their passions, though it would be depressing indeed to read, say, *Anna Karenina* mainly as an object lesson about life in a patriarchy. And a significant proportion of our stories are indeed tragic—but then a significant proportion of human experience is tragic. No amount of moral hygiene and right thinking will ever change that. Moreover, there are power struggles even in egalitarian relationships, and there is misery even in wholesome social democracies with female prime ministers and an abundance of quality day care. Anyway, there are also different stories to read, stories of fulfillment and contentment and even mature, mutually respectful love. The exasperated Gilligan should pick up Jane Austen now and again. It is a little quaint, in any case, to see Gilligan treating ancient myth or nineteenth-century fiction as an adolescent girl's blueprint for life. Few are the adolescent girls who hook up with Ovid.

MUCH OF GILLIGAN'S book is concerned with the separate paths to development taken by girls and boys, and the way in which the imposition of sex roles stifles the true selves of each. Surprise! Boys, Gilligan argues, are forced to become "inauthentic" earlier—at the age of four or five, just when they are in transition from *Blue's Clues* to *Scooby-Doo*, I guess—and are clueless about the process, whereas girls undergo this loss at adolescence, when they are better able to notice it and to rail against it. The news that Gilligan reports is pretty grim. Boys turning five and preparing to enter kindergarten were "separating themselves from their relationships," Gilligan explains, "and in the process becoming less direct, less attentive, less articulate, and less authentic." (She is summing up the research of an admired colleague.) "They were becoming more like 'boys.' Inattentive, indirect, inarticulate, inauthentic—words that captured the boys' response to a crisis of relationship; to become one of the boys they had to cover parts of themselves." They must conceal "what is not considered manly or heroic." (At five?!) Girls, by contrast, get more leeway to experiment with gender roles until adolescence, because only then does "their participation in patriarchy" become "essential."

There is certainly some truth to this picture. Every kindergarten class contains a few gender enforcers: boys or girls who say, "That's not what boys do," or "That's not how girls act." And play tends to divide along gender lines in kindergarten, though by no means exclusively. Children entering "real" school may be grasping for the first time that there is such a thing as a public or social self—a way you are with your friends or teachers that is not exactly the same as the way you are at home, and that sometimes involves acting more like a "boy" or a "girl."

Gilligan's interviews with the fathers of four-year-old boys at a preschool are touching testaments to parental worries about this transition. Indeed, far from being eager to impose "manly behavior" on their little boys, these thoughtful fathers seem to want their boys to hold on to their sensitivities and their eccentricities. "How can we help preserve our sons' vulnerability without putting them at risk for teasing and being beaten up?" asks Alex, an earnest college professor. Interestingly, the fathers seem equally determined that their boys keep their wildness—the bumptious and exuberant boyishness that we do not much care for in the Ritalin era—and their sweetness.

Gilligan, by contrast, has a more particular idea, a more doctrinaire idea, of what is authentic and worthy in a little boy. Good guy/bad guy play is no good, for it is nothing other than "the basic script of patriarchy," and "destructive to love among and between men and women, to any kind of love." The news that a five-year-old boy now prefers coin collecting and soccer to drawing leaves Gilligan rueful. "What about his drawing?" she asks his father when he "proudly" tells her about his son's new hobbies. "I could be speaking a foreign language," Gilligan laments. "Michael brushes off the question and repeats that Gabe is now playing soccer and collecting coins."

But how does Carol Gilligan know what an authentic self is? Maybe archetypes of good and evil, obnoxious and hierarchical though they may be, *are* authentic. Maybe boys *are* showing their "true" selves when they play good guy and bad guy. Maybe

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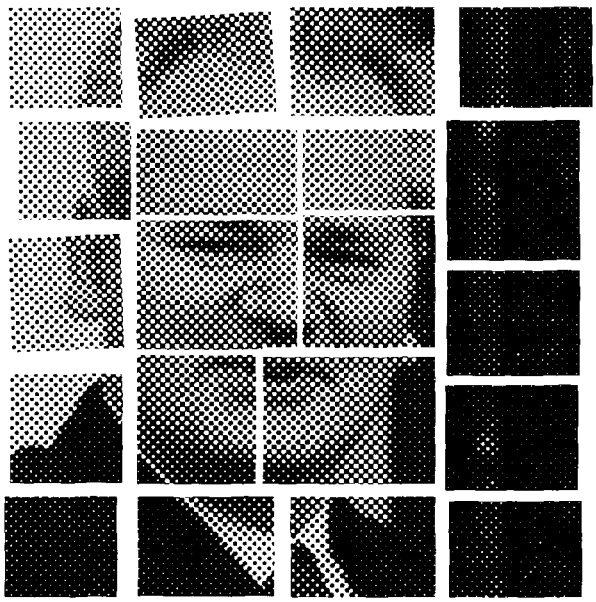
girls are, too. And maybe it is all more various and more complicated than the dichotomy of the true self and the false self, of "authentic" and "inauthentic," would suggest. Maybe parenting requires dialectical thinking.

While I see a lot of four-year-old and five-year-old boys jostling for independence and testing out attitudes, I do not see many who are "separating themselves from their relationships" with the people closest to them. Moreover, some of the signs of intimacy that Gilligan admires in the relationships of young prelapsarian boys and their mothers are actually signs of children's profound dependence on adults. Gilligan dwells on the observation that little boys (one could say the same of girls) perceive their mothers' subtle shifts in mood—anger simmering beneath an even tone of voice, and so on—and wishes that men could be more like that. "I am hearing mothers describe their four-and five-year old sons as emotionally present and clued in to them in a way that their husbands are not," she writes. As a woman named Rachel explains to Gilligan, speaking of her four-year-old, "Nobody pays attention to me like that. Jake is just, like, clued in. It's like Mom why did you kind of use that angry voice with me?"

But surely small children notice "angry voices" and the like because they are utterly dependent on their mothers and on the emotional weather that the adult world establishes for them. Children are always looking for storm warnings, or for more auspicious signals—Will we go out for ice cream tonight? Are Mom and Dad getting along?—because the vagaries of the adult world are mysterious to them and completely beyond their control. (Indeed, Rachel describes Jake as her "barometer.") It can be sweet and gratifying when small boys keep a close watch on their mothers' moods, but it is also a function of the essential powerlessness of the child. Relationships between equals do not generally elicit or require such vigilant monitoring. Gilligan writes admiringly of Rachel's refusal to shield her toddler from the tension that she was feeling at work because "to do so would have been to betray his love." But transparency is not the highest duty in relationships with children. There are some things that children do not need to know.

Though Gilligan pays more attention to boys in this book than she has in the past, it is girls on the verge of adolescence who have her heart. It is they whom she regards as our gum-chewing truth-tellers, our lip-glossed sibyls—epistemologically privileged beings, little annunciators of the heart's reasons, uniquely positioned to vouchsafe to us knowledge that the rest of us have long ago forgotten. Though little girls, like little boys, must adopt caricatured sex roles behind which they hide their essential selves, and though these roles block them, too, from being "in relationship," as Gilligan puts it, girls in her view are better equipped to speak about their loss and their falsity. Gilligan sees girls at adolescence "masking their faces, putting on a face that a year or two earlier they had identified as a false face, hiding anger with smiles, boredom with a look of interest, a feeling of being ordinary with a look of specialness. And take on a voice that they had gleefully mimicked as a woman's false voice in hilarious skits where they reveal the acuity of their listening." What she "found extraordinary among girls was their ability to name this process of masking.... The difference in the timing of initiation that leads boys to take on the mantle of manhood earlier than girls put on the masks of womanhood suggests that this process will be more readily articulated by girls and also remain closer to the level of consciousness." Since they do not feel that they can speak freely and still have relationships, especially with boys, they must chose between "being in relationship" and having relationships.

Gilligan's numinous girls have so much



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Greece and Milošević's Serbia

TAKIS MICHAS
FOREWORD BY MICHALIS PAPAKONSTANTINOU

Greece supported Serbia from the outbreak of war in the former Yugoslavia in 1991 through the NATO bombing and occupation of Kosovo eight years later. Here, Michas combines journalistic accounts and interviews to show a pattern of Greek support for Milošević and Karadzić that implicates Greek politicians, the Greek Orthodox Church, the Greek media, and ultimately the Greek people themselves. " . . **a much-needed addition to the literature."**—**Tim Judah,** ***New York Review of Books.*** $29.95

COMMUNISM AND THE REMORSE OF AN INNOCENT VICTIMIZER

ZLATKO ANGUELOV

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to tell us, then, and so much to teach us. I am a little in the dark, though, about what the great girl-message is, for Gilligan tends to cloak it in poetic obscurantism: "[In] the presence of girls who will speak freely and say what they are seeing and hearing, thinking and feeling, women begin to know what they know. I don't know how to talk about this kind of knowing, since it so readily seems suspect. It is the way animals know. Through vibrations. Something that passes between people." Vibrations! By this point, psychology has given way completely to mystagogy.

Of course, the notion of adopting different selves in different contexts, of feeling "untrue" to oneself—of preparing "a face to meet the faces that you meet"—goes back a very long way, to the Renaissance at least, and its dawning awareness of a psychology of deception and pretense. It was William James who first identified, for the new science of psychology, separate and distinct aspects of the self—the "I-self" and the "me-self," which included the "social me." And as for adolescent alienation—and particularly the exquisite awareness of and discomfort with "phonies," with the phoniness that the young are convinced only the young can see through—the most plaintive statement of that accomplishment was written by J. D. Salinger, a man (to put it mildly), and it has been gratefully discovered anew by legions of misunderstood youth, male and female, every year since its publication in 1951.

Gilligan strangely combines the 1950s cult of teen alienation with the 1960s cult of teen self-realization. But the cult of the young, the reverence for spontaneity, the romance of incomplete socialization: all this is itself a kind of immaturity. As most people get older, they realize that the first thing that they say or think is not always the truest thing; that their first thoughts are not usually their best thoughts; that what they write in a diary is not necessarily betrayed by what they say out loud; that the edited self, or the polished thought, is not an inferior or corrupted copy of a deeper, truer, better self. They realize that the truth that a child knows about divorce, say, or more generally about the social conventions of adults, is not a superior truth but a partial one, important to know and to credit, but necessarily occluded, like a glimpse through a crack in a door. *The Catcher in the Rye* is no longer their favorite book. Its attractions tend to expire with the onset of adulthood.

But Gilligan appears to regard adulthood as a fall, a misery, a corruption; and so the religion of youthful authenticity marches on. And it certainly makes for some smudgy thinking. It is facile to declare that all or even most girls experience adolescence as some kind of debilitating break with what they thought they knew about the world, some kind of devastating confrontation with hypocrisy, some kind of betrayal of self. Some girls probably do—we know that depression strikes women more than men, and that this divide first becomes apparent at adolescence. But it would be useful to know which girls and under what circumstances.

In *The Construction of the Self*, the psychologist Susan Harter, a critic of Gilligan's, tries to discover precisely that. While Harter argues that some adolescent boys and girls do indeed feel that they engage in false behavior or self-censoring that distances them from others and ultimately from themselves, she maintains that this is a phenomenon best explained by reference to individuals and not to genders writ large. (Genders do not feel bummed out. Individuals do.) "Our own findings on level of voice," Harter writes, "reveal that ... individual differences represent the major phenomenon to be explained; that is, there are no overall gender differences, nor does voice decline with age for girls. Rather, while some adolescent girls lack voice, there are many who report that they are quite capable of expressing their opinions. The same is true for adolescent males in that some stifle the expression of their opinions, whereas others can readily voice their thoughts." (Offhand, I expect that most people could think of more talkative teenage girls and monosyllabic teenage boys in their acquaintance than the other way around.)

Harter's studies also suggest something interesting, not so much a contradiction of Gilligan's position as an important refinement of it. One subgroup of girls whom Harter identified did seem to experience trouble expressing their true thoughts with others, at least in some contexts—and these were the girls who identified the most with stereotypically feminine traits. Harter and her colleagues used various sex-role inventories that ask subjects whether they have certain characteristics traditionally linked to one gender or another: gentleness, empathic listening, and enjoyment of babies and children are on the female side; mechanical aptitude, risk-taking, and competitiveness are on the male side. Those identifying with a more or less even sampling of the characteristics from both columns are called "androgynous"—and in most studies that employ these terms, androgynous females make up sixty to seventy percent of the sample. Those who endorse female attributes but not male ones are decidedly a minority, usually in the twenty-five percent range. And it is they—the so-called "feminine girls"—who report "the lowest levels of voice," that is, the most reticence in expressing their opinions, in public contexts such as the classroom. (In personal relationships, on the other hand, this liability was not apparent.)

But androgynous girls—that is, the majority of girls—said that they were comfortable expressing their thoughts in both public and private. In general, both androgynous girls and androgynous boys reported more support and interest from teachers than girls who were very feminine or boys who were very masculine. (The former may be too quiet and self-effacing to elicit favorable attention, and the latter may be too disruptive.) "We can no longer be content with generalizations implying that most or all girls are at risk for lack of voice," Harter concludes. "Furthermore, we need to attend very seriously to individual differences in level of voice and to identify what causal factors account for lack of voice in *some*, but not most or all, girls." Harter's is only one study, of course, and this sort of research can be unreliable,

The Quale of Wind

If once it was for getting there from here,
mostly that's over now. Or bringing water up.
Nor does it look as though we'll need it, after all,
to turn the TV on. What, then? One day,
a day like other days, what you'd mislaid
a while ago still lost or found (the dog's old ball,
a thought, your heart), without a thought you'll open up
the rusting mailbox, left for years too near

the road, and finding nothing there begin
to walk back to the house. The porch needs paint again,
forsythia's halfway to bloom, a warm spring breeze
is coming from the north. You're at the door
before you take it in: the *north*. The floor
at your first step gives way, the lamp's not yours, nor these
new chairs. You are—for months you'll feel the painless pain—
someone else. This is the quale of wind.

David Sofield

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dependent as it often is on self-reporting of murky and changeable emotions; but it is certainly suggestive, and it reminds us of the perils of seeing all girls as emotionally united in the same traumatic experience of their gender.

There is a strange irony in all this. Well-meaning though she is, Carol Gilligan may be as guilty in her own way of revering—of fetishizing—young girls as the fashion and entertainment industries. No doubt she detests those industries for all sorts of distortions of a girl's life; but she, too, cannot let a girl be. Gilligan's image of American girls is different, certainly: she does not linger over (or even adequately note) their sexuality, their aggression, or their ambition. But in its own high-minded fashion, Gilligan's fascination with girlhood is just as constraining, just as laden with expectations, as any fan's (or promoter's) fascination with Britney Spears. The flesh peddlers in show business burden the American girl with their kind of inauthenticity, Gilligan burdens the American girl with her kind of authenticity; but they are all in the business of making the American girl carry the American burden. Maybe the biggest favor that the theorists of girl-world and the marketers of girl-world could do for actually existing girls would be to leave them alone. Their lives are complicated enough without all these yokes of exemplariness. ■

The Mystic Smile

By ROCHELLE GURSTEIN

Becoming Mona Lisa: The Making of a Global Icon by Donald Sassoon

(Harcourt, 337 pp., $30)

ONE OF THE most extraordinary but least remarked upon features of paintings and sculptures is their persistence as actual, physical objects from other times and places. When we come face-to-face with the *Mona Lisa* in the Louvre today, we are in the presence of a portrait of a flesh-and-blood woman named Lisa Gheradini (*Monna* being a contraction for *mia donna*, or "my lady"), the wife of a wealthy Florentine merchant named Francesco del Giocondo (which is why the Italians have always called the painting *La Gioconda*), painted in oil on wood between 1503 and 1507 by Leonardo da Vinci, one of the three greatest masters of the Italian Renaissance. We rarely pause to reflect on how miraculous it is that this object, this fragment of a world that disappeared hundreds of years ago, continues to exist in present-day Paris. Where other once-celebrated works of art also linger on as physical entities into our own time—museums are brimming over with statues and paintings of Venuses and Apollos, Madonnas and Christs, by masters of ancient, Renaissance, and Baroque art—most of them no longer speak to us, or we no longer know or care enough about them to hear what they might still say. So even though they occupy the same physical space as we do, they are hopelessly stranded in their own time and place; the gap that has opened up between their world and ours can no longer be bridged.

But not the *Mona Lisa*. In starkest contrast to the fate of most art, it has transcended such spatial and temporal limitations. This transcendence can be measured quantitatively: the picture draws an astounding 5.5 million visitors to the Louvre each year. Such is its fame that when visitors enter the gallery that is its home (and home, too, to beautiful paintings by Titian, Veronese, and Tintoretto), they find their path blocked by a crowd of fellow tourists who angle with one another for the best viewing spot. The art lover who longs to fall under the spell cast by the *Mona Lisa*'s legendary smile is inevitably pained to find the picture encased in a bulletproof glass box, the glare of which makes viewing an ordeal. He or she is surprised, even disappointed, by the small scale of Leonardo's masterpiece, which measures a scant twenty inches high and fourteen inches wide. As for the tourists who rarely set foot in a museum but know that the *Mona Lisa* is the most famous painting in the world and have been constantly bombarded by reproductions of it in postcards, advertisements, posters, T-shirts, and knickknacks, what do they see? Their immediate reaction is fairly uniform: they take out their cameras and start shooting. (Never mind that flash photography is expressly forbidden by the Louvre. No guard dares enforce the rule.)

From the moment that the *Mona Lisa* was first seen by Leonardo's contemporaries, it has been an object of admiration and fascination. The most important early commentator on the picture was Giorgio Vasari, whose chapter on Leonardo in his celebrated *Lives of the Painters, Sculptors, and Architects* (1568) established a tradition of viewing the *Mona Lisa*. In one particularly memorable paragraph, Vasari praised above all else Leonardo's "divine" skill, his unsurpassed ability to "imitate nature," which was held during the Renaissance to be the highest office of art. Vasari, himself a painter, was enraptured by every aspect of Leonardo's depiction of the beautiful face, describing in lavish detail the eyes, the lashes, the brows, the skin, the nose, the lips, the cheeks, and the "pit of the throat," which appears so "natural" that the viewer "cannot but believe that he sees the beating of the pulses." Such is the portrait's "perfection" that it makes even "the boldest master tremble and astonishes all who behold it, however well accustomed to the marvels of art." And the smile, which Vasari described as "so sweet that while looking at it one thinks it rather divine than human"? He furnished a rather prosaic explanation: concerned that the lady might become bored during long sittings, Leonardo hired singers, musicians, and jesters to entertain her.

La Gioconda, as the painting was known well into the nineteenth century (*La Joconde* in French), did not achieve fame only because Vasari, the first and most influential art historian, was dazzled by its extraordinary likeness to nature and wrote a beautiful (if now historically questionable) paean to it. Almost immediately, the distinctive pose of crossed hands and turning body became an exemplar of portraiture. Indeed, it was imitated so often by Leonardo's contemporaries that it came to be known as the *Gioconda* pose, and among the most famous artists to employ it was Raphael. His *Portrait of Maddalena Doni* (1505), *Lady with a Unicorn* (1506), and *La Muta* (1507) all assume the easy naturalness of *La Gioconda* and were painted just after he had visited Florence and seen the work of Leonardo. But it was not only the innovative composition that was widely admired. Painters from all over Europe paid tribute to the perfection of Leonardo's art by making copies and derivations of the portrait itself. We know of sixty extant works

ROCHELLE GURSTEIN is the author of *The Repeal of Reticence* (Hill and Wang).

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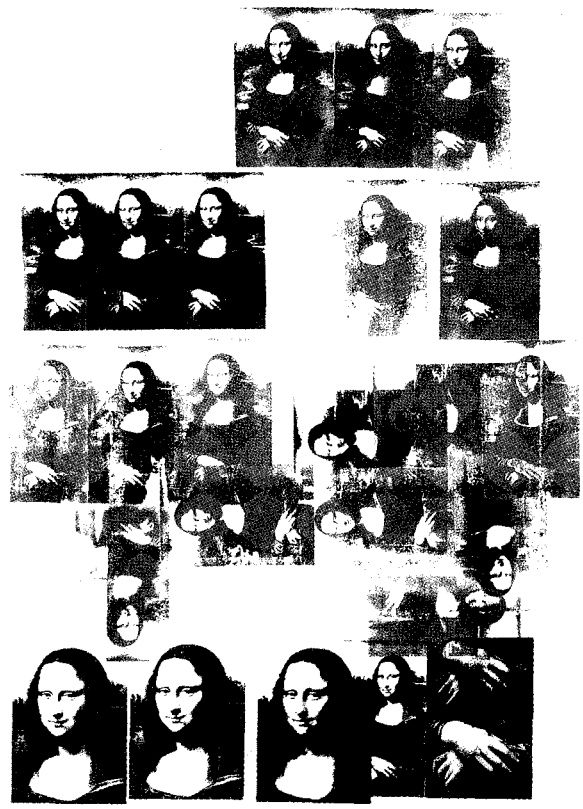
painted before the eighteenth century.

For close to one hundred years after Vasari, however, the painting that astonished Leonardo's contemporaries and set a new style in portraiture was seldom mentioned by writers, and few engravings were in circulation. This temporary neglect was most likely due to its location at Fontainebleau, in the private and largely inaccessible collection of François I, Leonardo's last patron, who had acquired the painting sometime during the 1530s. It came back into public attention in the middle of the seventeenth century, when a catalogue of the works at Fontainebleau described the *Mona Lisa* as "first in esteem, a marvel of painting." Throughout the rest of the century, whenever the painting was discussed, it continued to be lauded, following Vasari, for its startling fidelity to nature. But during the eighteenth century its fortunes again began to suffer as Louis XV dispersed the royal collection to obscure places. The *Mona Lisa* was relegated to the dark offices of the Directeur des Bâtiments (the Keeper of the Royal Buildings).

The painting was saved from further obscurity only as a consequence of the French Revolution, when it was moved to the newly formed Louvre Museum in 1797. For a few years Napoleon claimed the *Mona Lisa* and hung it in his bedroom in the Tuileries, but in 1804 the Louvre reclaimed it and installed it in the Grande Galerie. Yet even in its new public location Leonardo's portrait was largely overlooked or mentioned only in passing. During the first half of the nineteenth century, the works for which Leonardo was admired, even worshipped, were *The Last Supper*, which was already in a state of irreparable deterioration, and *The Battle of Arghieri* and the equestrian statue executed for Lodovico Sforza, both of which no longer existed.

How, then, did the *Mona Lisa* come to occupy its unparalleled place in the pantheon of Western art? The discovery of Leonardo the scientific genius, coupled with the nascent myth of Leonardo the artistic genius whose perfectionism prevented him from bringing but a few works to completion, was the first crucial step in the artist's deification. Early in the century, Goethe set the tone when he spoke rhapsodically of Leonardo's "universal genius." But it remained for literary men of the next generation, who were mesmerized by a new Romantic image of women as femmes fatales, enticing but dangerous, to apotheosize the *Mona Lisa*. Although many writers associated with the art-for-art's-sake movement in France and England paid enthusiastic tribute to the painting, Théophile Gautier and Walter Pater are now best known for launching it on its modern path to what is now inelegantly called "iconicity."

They had left the aesthetic universe of Vasari far behind. Appreciation for an artist's gift for imitating nature, no matter how extraordinary, seemed a rather paltry pleasure in the eyes of these highly refined aesthetes, whose single aim in life was, in Pater's famous words, "to burn always with [the] hard, gem-like flame, to maintain [the] ecstasy" that came from



Andy Warhol, *Mona Lisa*, 1963

COURTESY HARCOURT

impassioned engagement with works of art. Such an elevated, if extravagant, ideal of art demanded a new kind of criticism that would match, and even surpass, the intensity of the impressions that a painting evoked in the sensitive viewer, and the aesthetic critic responded with ardent prose poems of his own. This kind of criticism amounted to a kind of worship, an abdication of reason for feeling, a surrender to the object of a cult; and it is no wonder that proper Victorians thought such a view of art and criticism immoral and irreligious. They were appalled by what they perceived as its decadence.

But a younger generation was inflamed with the desire to see whether they could experience the kind of rapture described by Gautier and Pater before paintings such as the *Mona Lisa*. And what did they see? Gautier wrote of the "strange, almost magic charm which the portrait of *Mona Lisa* has for even the least enthusiastic natures." What was most "irresistible and intoxicating" was the expression,

> wise, deep, velvety, full of promises . . . the sinuous, serpentine mouth, turned up at the corners in a violet penumbra, mocks the viewer with such sweetness, grace, and superiority that we feel timid, like schoolboys in the presence of a duchess. So the head, with its violet shadows, half-perceived as through a black gauze, makes you dream for hours, and pursues you in memory like the motif of a symphony. . . . Repressed desire and desperate hopes struggle painfully through a luminous shadow. And you discover that your melancholy springs from the fact that the *Joconde* received, three centuries ago, the confession of your love with the same mocking smile that she still wears today.

As Roy McMullen observed in his exhaustive study *Mona Lisa* in 1975, "This is the world of Poe's tales, of Baudelaire's substitution of one sensation for another, and of Wagnerians listening with their heads in their hands."

This world of luxurious aestheticism has long become alien to today's dulled sensibility, just as the image of the *Mona Lisa* as mocking seductress had become difficult to see for modern eyes, long accustomed to graphic photographs and X-rated movies. (Though the ideal of a solemn, mindless enthrallment in the presence of art survives, in a degraded way, in today's rock audiences.) But for viewers of the second half of the nineteenth century, the lady really was "irresistible and intoxicating," and writer after writer tried to capture the exact nature of her spell. The most influential attempt, at least in English, was Pater's, which appeared in a chapter on Leonardo in his pathbreaking book *The Renaissance: Studies in Art and Poetry* (1873).

In an incantatory paragraph, Pater portrayed the *Mona Lisa* in language that eclipsed Gautier's rhapsody and would relegate Vasari to history. Indeed, this single passage so completely formed the imagination and the vision of art lovers who read it that no one—from Oscar Wilde to Bernard Berenson to Kenneth Clark—could speak of the *Mona Lisa* without uttering in the same breath that he, like everyone else

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of his generation, had committed Pater's luminous words to memory. Pater was captivated by the "unfathomable smile, always with a touch of something sinister in it"; but as a classicist he imbued the image of the femme fatale with a timeless aura, seeing in the portrait a "presence ... expressive of what in the ways of a thousand years men had come to desire." For Pater and for all those who knew his words by heart, "strange thoughts and fantastic reveries and exquisite passions" were "deposited cell by cell" upon the beautiful flesh of Mona Lisa's face. The portrait expressed nothing less than the incarnation of eternal womanhood:

> All the thoughts and experience of the world have etched and moulded there, in that which they have of power to refine and make expressive the outward form, the animalism of Greece, the lust of Rome, the mysticism of the middle age with its spiritual ambition and imaginative loves, the return of the Pagan world, the sins of the Borgias.

The long serpentine sentence that followed struck many readers as poetry in a new, highly resonant key. Pater, the Oxford don, did travel in the same aesthetic universe as the French poets Gautier and Baudelaire and the English poets Browning, Rossetti, and Swinburne (especially Swinburne, whom he knew personally). What Pater once wrote about Coleridge could be said with equal justice about their sensibility and his own: that he "represents that inexhaustible discontent, languor, and homesickness, that endless regret, the chords of which ring all through our modern literature." (This was the same sensibility that rediscovered Botticelli and made a cult of his wan, unearthly female figures rivaling that of the *Mona Lisa*.) Pater's distinctly modern style was canonized forty-two years after his death by Yeats in what at first glance appears to be an eccentric gesture: he rearranged Pater's sentence as free verse and placed it first in his *Oxford Book of Modern Verse, 1892-1935* so as to underline what he called its "revolutionary importance":

> She is older than the rocks among which she sits;
> Like the Vampire,
> She has been dead many times,
> And learned the secrets of the grave;
> And has been a diver in deep seas,
> And keeps their fallen day about her;
> And trafficked for strange webs with Eastern merchants;
> And, as Leda,
> Was the mother of Helen of Troy,
> And, as Saint Anne,
> Was the mother of Mary;
> And all this has been to her but as the sound of lyres and flutes,
> And lives
> Only in the delicacy
> With which it has moulded the changing lineaments,
> And tinged the eyelids and hands.

Just as Pater's style was a harbinger of modernity, so, too, was his vision of the *Mona Lisa*, and he ended his fantastic reveries with the statement that "Lady Lisa" was "the symbol of the modern idea." Whereas a number of his contemporaries took Pater to task for his overly subjective writing, accusing him of using Leonardo's masterpiece as a mirror for his own feverish imaginings, others, most famously Wilde in "The Critic as Artist" (1890), judged the passage as "criticism of the highest kind" on the grounds that "it treats the work of art simply as a starting-point for a new creation." While this sort of outrageous aestheticism is to be expected from such a self-conscious provocateur as Wilde, he was on to something far more serious when he continued: "It is the beholder who lends to the beautiful thing its myriad meanings, and makes it marvelous for us, and sets it in some new relation to the age, so that it becomes a vital portion of our lives, and a symbol of what we pray for, or perhaps of what, having prayed for, we fear that we may receive."

Bringing the *Mona Lisa* back to life by these highly aestheticized and erudite means had an ironic outcome: Pater's rhapsodic vision, endlessly repeated word for word in art criticism, novels, and poetry of the day, quickly degenerated into a cliché and an object of satire, and within a few decades it seemed thoroughly dated. So it is no surprise that some sensitive souls began to chafe under what they felt was Pater's increasingly tyrannical hold on their imaginations. One response was Marcel Duchamp's infamous drawing of a moustache and a goatee on a postcard of the *Mona Lisa* with the obscene title (when read aloud in French) *L.H.O.O.Q.* (1919), which made explicit the aesthete's sublimated erotic longings. But for those who self-consciously followed in Pater's way, Duchamp's iconoclasm was out of the question. The connoisseur's inwardness and exquisite sensitivity would never allow for such vulgarity. If the *Mona Lisa* were to be repudiated, it would have to be on aesthetic grounds.

In Bernard Berenson's reappraisal of Leonardo in 1916, we have a firsthand account of the connoisseur's reckoning with Pater's *Mona Lisa*. The essay begins with what had by then become a set piece, in which Berenson recounts how, as "a

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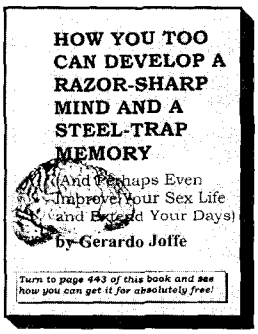
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youthful aspirant for artificial paradises," he spent "the hours of long summer days trying to match what I really was seeing and feeling with the famous passage of Walter Pater, that, like so many of my contemporaries, I had learned by heart." It is significant that he describes Pater's influence in terms of the "powers of a shaman"—"an affair of mesmerism, hypnotism, and suggestion"—for it sets the stage for his eventual disenchantment that came with sustained looking at the picture: "What I really saw in the figure of 'Mona Lisa' was the estranging image of a woman beyond the reach of my sympathies or the ken of my interests, distastefully unlike the women I had hitherto known or dreamt of, a foreigner with a look I could not fathom, watchful, sly, secure, with a smile of anticipated satisfaction and a pervading air of hostile superiority."

BERENSON CONFESSED THAT at first he tried to quell his doubts by forcing himself to appreciate the many excellent formal qualities of the painting. But in the end the very layering up of thoughts and feelings, of mythological and symbolic associations introduced by Pater—what Berenson called the "over-meanings"—led him to depreciate the *Mona Lisa*. The many beautiful intimations that for Wilde had made the portrait breathe again had a stifling effect upon Berenson, who felt overwhelmed and distracted by them. All the over-civilized hyperbole made the sought-after experience of "ecstasy"—that "immediate, instantaneous, and unearned act of grace" which he held to be the essence of "the aesthetic moment"—impossible for Berenson. He had made his name as a connoisseur of Italian "primitives," and had little sympathy with Leonardo, whose paintings appeared excessively intellectual and mechanical to him.

What is more, Berenson had come to appreciate art from other traditions, with unexpected consequences: his aesthetic horizon was enormously expanded at the same time that the enigmatic and bewitching qualities of the *Mona Lisa* began to seem less and less unique. So when Berenson gazed at Leonardo's masterpiece, he saw "nothing in her expression that is not far more satisfactorily rendered in Buddhist art," just as he could find "nothing in the landscape that is not even more evocative and more magical in Ma Yuan, in Li-Long-Men, in Hsai Kwei." A gap now opened up between the new-style connoisseurs and the nineteenth-century aesthetes that was almost as wide as the one that had separated Pater's world from Vasari's world.

Whereas Pater's sensibility was literary and associative in the extreme, Berenson's sensibility was more visually acute and exacting, for he was entranced with the sheer experience of looking. Berenson knew that "the aesthetic moment" was the fruit of "a long and severe training," but he thought it was "unaware of what preceded it" and was "completely isolated, not to be modified and not to be qualified." (Today, following Kant, we call this autonomous aesthetic experience.) Yet Berenson's sensibility, because it disdained flights of imagination and reverie, did not exercise the same powerful hold over art lovers as Pater's, and it remained confined, at least initially, to a coterie of connoisseurs and art historians. Still, that Berenson could, as he put it, "expose and bring down" what had come to be known as "the greatest achievement of artistic genius" reveals the fragile nature of artistic fame, and especially of fame wrought from the hypnotic effusions of an influential writer. The status of any work of art, it turns out, is secure only to the extent that it continues to speak directly to later viewers.

THE *MONA LISA* has somehow managed to do this. Even Freud was intrigued by the famous smile, and tried to interpret it in his *Leonardo da Vinci: A Study in Psychosexuality* (1910), which added yet another associative dimension, this time having to do with the unconscious longings of the artist: the *Mona Lisa*'s smile was actually the mysterious smile possessed by Leonardo's own mother. Throughout the twentieth century, the portrait continued to fascinate art historians, writers, poets, artists, and spectators. Indeed, by 1950 the *Mona Lisa* had been reproduced so often and had acquired so many interpretive layers that E.H. Gombrich worried aloud in *The Story of Art* whether anyone could still see it with "fresh eyes." Gombrich advised his readers "to forget what we know or believe we know about the picture and look at it as if we were the first people ever to set eyes on it."

And if this were possible, what would we see? Gombrich presented the painting through Vasari's eyes (without ever naming him): "What strikes us first is the amazing degree to which Lisa looks alive." But when it came to the smile, it was still Pater's vision that reverberated: "Sometimes she seems to mock us, and then again we seem to catch something like sadness in her smile." Except for a few such remarks, however, Gombrich had no interest in evoking lyrical associations. His account was concerned with formal analysis and Leonardo's place in art history, the knowledge of which would overcome the distance that separated works of the Italian Renaissance from the uninformed modern viewer. But even Gombrich could not resist closing with a tribute to the portrait's aesthetic power: Leonardo "knew the spell which would infuse life into the colors spread by his magic brush."

FIFTY YEARS LATER, in a world flooded with ever more reproductions of the *Mona Lisa* but sorely lacking in aesthetic sensibility—whether of the Vasari, Pater, or Berenson kind—one wonders what the tourists streaming into the Louvre need to forget in order to see the painting with "fresh eyes." Perhaps something about the smile or about the artist's repressed longings; but if Donald Sassoon is right, they come to the painting not with any particular aesthetic aspirations or expectations but rather to gawk at a "celebrity" whose status is based exclusively on the fact of its being well-known. After all, this is the painting that traveled to the National Gallery in Washington and then to the Metropolitan Museum in New York in 1963 and was mobbed by more than 1.6 million people in two months, and made another triumphal tour in 1974, first to the Tokyo National Museum and then to the Pushkin Museum in Moscow, and was mobbed again by an astounding two million more people. (In Tokyo, it was estimated that each viewer got about ten seconds before the painting.)

Thus Sassoon is not exaggerating when he describes the scene at the Louvre—crowds of fans, flashing camera lights—as the kind of "commotion" typically associated with "a renowned personality from the world of cinema, television, fashion, or music, or a member of a major royal household." It is the aim of his book to understand this phenomenon. And the beginnings of this distinctly modern way of seeing a work of art as a celebrity can be traced back to 1911, when the *Mona Lisa* was stolen from the Louvre. Sassoon finds this event so significant that he devotes an entire chapter to it.

While the theft is largely forgotten today, it generated enormous publicity at the time, since mass-circulation newspapers, which were also a new phenomenon of the early twentieth century, were always hungry for sensational events and printed story after story about it. People who ordinarily cared little for art were inundated both with countless images of the painting and tales of its many legends, the enigmatic smile always occupying center stage. The publicity so excited curiosity that when the Louvre re-opened after a week-long investigation, thousands of people—many of whom had never before set foot in a museum—stood on line to view the vacant space previously filled by the *Mona Lisa*. For the first time in its career, the painting left the rarefied air of royal collections, fine-art engrav-

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ings, and the refined imagination of aesthetes and entered the world of entertainment: commemorative postcards, photographs, cartoons, ballads, waltzes, silent films, music halls, and theaters all took up, often with a good deal of humor, the *Mona Lisa*'s disappearance.

The painting's fame was further enhanced two years later, when Leonardo Vincenza, a decorator-painter and self-avowed Italian patriot, attempted to sell it to a Florentine antique dealer, leading to his arrest and the painting's recovery. Vincenza confessed that he had walked out of the Louvre unnoticed with the small portrait hidden under his workman's smock because he had briefly worked at the museum. For a fleeting moment, there was the question of whether the Italians would surrender their patrimony to the French. As compensation to the Italian people for their impending loss, the painting was exhibited in Florence, in Rome, and then, for two days, in Milan, where an estimated sixty thousand Italians desperately vied for a final glimpse of "their" painting. Upon its triumphal return to Paris, it was mobbed. And so the *Mona Lisa* once again began appearing in popular songs, postcards, cartoons, and even greeting cards, and the mass-circulation press excited public curiosity with endlessly detailed reports of all the events, the painting's now-famous image prominently displayed on front pages everywhere.

FOR SASSOON, THE "kidnapping," as he calls it, and the innumerable ways in which the *Mona Lisa* has subsequently been exploited by popular novels, poems, children's books, songs, satirical postcards, avant-garde art, movies, television, and most significantly advertising and merchandising, provide the key to understanding its celebrity status. His aim is to "examine how a product of 'high culture' became an object of popular consumption"; and this project first occurred to him, as he explains in the preface, when he was "researching the history of cultural markets." That Sassoon came to this complicated and vexing episode in the history of taste and sensibility by chance, and that he thinks of it primarily in socio-economic terms, is what distinguishes his study from the many others that have come before it. As a social historian whose earlier books include *One Hundred Years of Socialism*, he believes that such an undertaking does not require "special insights into the Meaning of Art or the Soul of Man" or, for that matter, "a particular artistic sensibility."

Sassoon might mock such "special insights" and "artistic sensibility," but without them he is lost. When he reviews the well-known historical sources of the painting's fame—its aesthetic innovations and provenance, along with the myth of Leonardo the genius and the cult of the *Mona Lisa* as femme fatale—his account neither revises nor deepens the thoughtful accounts already provided by George Boas's *The Mona Lisa in the History of Taste* (1940), Roy McMullen's *Mona Lisa: The Picture and the Myth* (1975), or A. Richard Turner's *Inventing Leonardo* (1993), to name only a few. Instead, Sassoon's accumulation of pointless details and digressions turns what was a historically sound and intellectually compelling narrative into a muddle. And without a deep grounding in aesthetics or intellectual history, his account fares no better when trying to explain the portrait's shifting fortunes. Sassoon is thus reduced to saying of the *Mona Lisa*'s transfiguration into a femme fatale: "Threatening women are so much more interesting than tranquil housewives"; or of Gautier's influence: "He was in the right place at the right time"; or of Pater's: "This Oxford aesthete, in love with the past, was at one with the Zeitgeist"; or referring to Berenson's devaluation of Leonardo not in aesthetic terms as a harbinger of modern, formalist connoisseurship and art history, but instead as one response to the painting's theft from the Louvre.

WHEN IT COMES to what is original in Sassoon's account—how the painting has become "a global icon"—his method of endlessly amassing information, the only criterion being some connection to the *Mona Lisa*, no matter how insignificant, tangential, or tenuous, sheds very little light on this pernicious and destructive strain in modern life. If we are to understand the means and the consequences of the merciless commodification of art, we will need interpretation and criticism, taste and judgment. Instead Sassoon provides boring plot summaries of novels, short stories, movies, and plays, as well as countless lists: lists of artists who have used the image; lists of singers who have performed songs referring to her smile; lists of merchandise, of advertisements, of every last thing that bears the name or the image of the *Mona Lisa*. Sassoon demonstrates in tedious detail that we live in a world where what avant-garde artists once dared to do as an act of iconoclasm—use the *Mona Lisa* as an object like any other—is now routinely accomplished by advertising and merchandising. But he is silent about the consequences: not only is there something callous and even cruel, aesthetically and morally, about using exquisite objects meant for higher purposes as marketing ploys, there is also something world-destroying in it, for neither the work of art nor aesthetic feeling can survive such brash treatment unscathed.

And Sassoon himself contributes to the painting's further trivialization by repeatedly calling it an "icon of popular culture," as if there were no difference between the "divine" Leonardo's "marvel of art" and real icons of popular culture such as Mickey Mouse. His end "product" is a collection of all manner of *Mona Lisa* memorabilia: Vasari and Pater and Duchamp and Warhol are here, but so are Nat King Cole, a letter from a sixteen-year-old girl to the Louvre, Erico Baj's *The Revenge of Mona Lisa*, computer mouse pads, and "Mona Lisa-Cu375" (an intra-uterine device). All too often the book has the suffocating feel of a matron's living room stuffed to the gunwales with her "collection" of knickknacks based on her love of bumblebees or frogs—that is, when it does not simply read like a print-out from a computer search under "Mona Lisa." (Sassoon informs us that as of October 2000, there were 93,800 Web pages on "Mona Lisa" and another 2,110 on "Joconde." What sort of learning is this?) And after 275 pages of undigested facts culled from a twenty-page bibliography, Sassoon delivers the stunning historical news that "nothing has a single cause," "nothing is static." That is his last word on the puzzle of the *Mona Lisa*'s unparalleled fame.

The *Mona Lisa* has survived periods of neglect. Yet over and over again particular aesthetic qualities have captivated art lovers who have dreamed of being transported by the painting of a woman who smiles. In those times when taste and sensibility (and, later, imagination) have been cultivated and valued, the extraordinary beauty of the *Mona Lisa* has closed the temporal and spatial gap that might otherwise have alienated later viewers from it. Today, when museumgoers are as accustomed to looking at flat, lifeless, mediated images of art on television and computer screens as they are to looking at animal corpses submerged in formaldehyde by Damien Hirst, the anticipation—let alone the experience—of the manifold pleasures of beauty has receded into the distance. In these changed circumstances, it is celebrity and commercialism that keep the *Mona Lisa* alive, but only by running saline solution rather than blood through her veins. The *Mona Lisa* may be the most "popular" painting in the world today, but it remains to be seen whether it can survive such popularity, or whether, like other mass-marketed celebrities of the twentieth century, the portrait that stunned generations of art lovers will eventually lose its place to the next new thing. ■

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CAMBRIDGE DIARIST

Audit This

IN 1986 GEORGE W. BUSH received one of the lucky breaks that would characterize his business career, when Harken Energy bought his otherwise near-worthless oil company, Spectrum 7, for more than $2 million in stock. As part of the deal, Bush was named to Harken's board of directors and was designated a member of the board's audit committee. An ordinary director of a public company has rather vague responsibilities, and many directors simply doze through their periodic meetings and collect their annual fees. But a member of the audit committee has specific obligations. Among them is the obligation to ensure that the company's books are honest. In fact, members of the audit committee are the guarantors of the company's probity.

IT WAS DURING BUSH'S TERM ON THE audit committee in 1990 that the Securities and Exchange Commission (SEC) forced Harken to revise its books and account for millions of dollars in losses it had disguised as profit through the $12 million sale ($11 million of which was in reality financed by a note from Harken itself) of a subsidiary to a posse of insiders. If this evokes the work of Arthur Andersen, it should: Andersen was Harken's accounting firm, its legal and ethical guide. In that sense, when Bush was supposed to be exercising fiduciary oversight over the company, Harken was pioneering the very tricks that Enron and WorldCom have now made famous. The White House does not like this comparison; according to the Associated Press, Communications Director Dan Bartlett harrumphed, "To compare a $12 million sale ... by Harken to a deliberate attempt to hide $3.8 billion in losses is ridiculous." So, as the old joke about the whore has it, we are now just haggling over the price.

IN THE ORDINARY COURSE OF BUSINESS, members of the audit committee know more about a company's financial drift than do other directors, and they know it earlier. Which is to say they really do have insider information. The vagaries of the law permit directors to buy and sell during designated windows of opportunity even though they may be in possession of information—as Bush was—that other shareholders don't have. Bush took advantage of this window when he sold his Harken stock. Unfair, maybe. But as Michael Kinsley once wrote in these pages, "[T]he scandal isn't what's illegal, the scandal is what's legal."

NONETHELESS, WHAT MAKES THIS kind of selling legally acceptable (if not exactly morally correct) is the obligation to report in a timely fashion the sale (or purchase) so outsiders know what insiders are doing. But Bush didn't do that. As the SEC has found, he failed to notify the authorities (and, through that notification, other stockholders and the public) on a timely basis that he had, in fact, sold stock. The SEC nevertheless declined to press charges, a decision that becomes more interesting when you realize, as *The Baltimore Sun* has noted, that the Commission's then-general counsel, James R. Doty—the man who supervised the legal inquiry into Bush's behavior—was also the lawyer who had facilitated the sale of the Texas Rangers baseball team to George W.'s partnership. And Bush was selling his Harken stock to pay off his debt to the bank that had financed his share of the Rangers' purchasing price.

THE JUNE 22, 1990, TRANSACTION was for 212,140 shares sold at $4 per share, for a total of $848,560. Two months after the sale (but before Bush actually reported it), Harken announced an unprecedented quarterly loss of $23 million, of which George W. could not have helped but be aware—of which, in fact, he was legally obliged to be aware. An Associated Press dispatch reported that "[Bush] received memos in spring 1990 that referred in stark terms to the company's cash-strapped condition.... One document said that the company was in the midst of a 'liquidity crisis' and another told Bush the company was 'in a state of non-compliance' with its lenders." When the loss was made public, Harken stock fell to a shade above $2 and, by year's end, was down to $1. (As we go to press twelve years later, one share of Harken Energy is worth 45 cents.)

ACCORDING TO ADAM ENTOUS, A Reuters White House correspondent, Bush was late in informing the SEC of his sales not once but four times, and one of those times he was more than eight months late. When one of these latenesses became an issue in Bush's 1994 run for governor of Texas, he simply asserted that the SEC had lost Form 4, as the relevant document is called. But that claim was sheer invention. And when asked about the filing last week—in the shadow of WorldCom and Martha Stewart—White House press secretary Ari Fleischer, on information provided by his boss, changed the story and pinned responsibility for the reporting delay on Harken's lawyers.

GIVEN THE PRESIDENT'S WELL-known distaste for lawyers, it's perhaps not surprising that he blamed his blunder on members of the bar. But not every Bush lawyer involved in the Harken affair has been made a scapegoat. Bush's personal attorney at the time, the man who defended him against the SEC, was a man named Robert W. Jordan, formerly a partner at Baker Botts LLP. The Baker referred to therein is none other than James Baker, secretary of state to Bush père and the tactician behind W.'s extra-legal victory in Florida. At W.'s inaugural, Baker Botts threw a private party for, among others, Saudi Ambassador Prince Bandar. Later that year Jordan, who knows almost nothing about the Middle East, was appointed U.S. ambassador to Saudi Arabia.

JAMES BAKER NOW HAS A VERY influential friend and full-time interlocutor in Riyadh whenever he goes there (which he does often) on behalf of the banking consortium called the Carlyle Group. As it happens, George H.W. is also a highly remunerated senior Carlyle trustee with special responsibilities for Arab and especially Saudi Arab clients. In fact, Bush père traveled to Saudi Arabia shortly after the 2000 election. Prominent among H.W.'s clients was the family of Osama bin Laden, the money of whom was quickly disentangled from Carlyle for purposes of public decency shortly after September 11. Which raises a few questions: Why were Osama's many siblings and cousins who were in the States on September 11 apparently allowed to slip out of the country so quickly and without questioning? Did Ambassador Jordan do anything to facilitate their sudden and surprising departure? Did Jordan call his old partner Jim Baker to facilitate the mass getaway? Or did he go to the paterfamilias, who had his own interest in the bin Ladens not suffering any embarrassments? Or did Jordan simply talk directly to his boss? Maybe no one talked to anybody. Which leads back to the original question: Why were the bin Ladens not detained? These might be useful topics for a congressional committee, once it gets done with Harken Energy.

MARTIN PERETZ

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The Washington Post: "Letting Parents Decide"

The following are excerpts from a June 28 Washington Post *editorial analyzing the U.S. Supreme Court's landmark ruling on the Cleveland school choice program:*

The failure of many public school systems around the country to offer any semblance of an education to millions of children is not a matter of serious dispute.

Wealthy and middle-class people have an out: private schools or a move to a jurisdiction with better public schools. The poor often have no option. And while policymakers debate — and bureaucracies often obstruct — efforts at meaningful school reform that will take years to produce results even if all goes well, one generation after another is lost to failing schools....

Parental School Choice is Widespread — Unless You're Poor.

In affirming the constitutionality of Ohio's use of vouchers in Cleveland — one of the country's most dramatically failed school systems — the Supreme Court's conservative majority rightly created wiggle room for states, localities and potentially even Congress to try carefully designed voucher programs....

The [Cleveland] vouchers go to parents, who can use them at any participating private school.... When one considers the full range of school choices available to parents, it becomes implausible to argue that anyone is being forced into religious education. Parents in Cleveland who wish to yank their children from local public schools have charter schools, magnet schools and religious and secular private schools to choose from. Under these circumstances, the program hardly seems an establishment of religion forbidden by the First Amendment....

It's essential to try new approaches, from how individual public schools should be run to whether private school options should be available, and then to measure the results. Vouchers may offer answers for some children. The Constitution should not be read to forbid policymakers from finding out.

In fact, our quarrel with the Cleveland program would be that the [Cleveland] vouchers are too small [at $2,250]. Imagine how much competition might be generated, and with what respect poor parents might be treated, if they were given an $8,000 voucher for each child, and public schools really had to prove they were worth what society now spends on them.

A complete copy of the June 28 editorial is at www.washingtonpost.com.

baeo

Black Alliance for Educational Options

For more information go to: www.schoolchoiceinfo.org or www.baeo.org

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Homeownership in America: 68%
Minority homeownership: 49%
Our commitment to increasing minority homeownership: 110%

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Right now homeownership in America is at an all-time high of 68 percent. But there's still more work to be done. That's because among minorities it's only 49 percent. That's unacceptable.

At Fannie Mae, we believe the American Dream should be possible for all Americans regardless of their race or ethnic background.

That's why in this decade alone we're now committed to helping 4.6 million more minority families live their dreams.

You see, at Fannie Mae, when we say we're helping make the American Dream come true, we mean for all Americans.

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